



# Judicial Council of California

Rules Committee

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[rulesmeetings@jud.ca.gov](mailto:rulesmeetings@jud.ca.gov)

## RULES COMMITTEE

### MINUTES OF OPEN VIDEOCONFERENCE MEETING

Tuesday, August 6, 2024

12:10 p.m. – 1:40 p.m.

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<b>Rules Committee Members Present:</b>	Hon. Carin T. Fujisaki (Chair), Hon. Michelle Williams Court (Vice-chair), Ms. Kate Bieker, Hon. Charles S. Crompton, Ms. Rachel Hill, and Mr. Charles Johnson
<b>Rules Committee Members Absent:</b>	Hon. Maria D. Hernandez, Mr. Maxwell Pritt, and Hon. Erica Yew
<b>Rules Committee Staff Present:</b>	Ms. Anne M. Ronan and Ms. Benita Downs
<b>Advisory Bodies Chair(s) and Staff Present</b>	James Barolo, Sarah Fleischer-Ihn, Eric Long, Paarth Malkan, Jason Mayo, Jamie Schechter, Marymichael Smrdeli, and Jeremy Varon
<b>Other JC Staff Present</b>	Heather Anderson, Michael Giden, Savet Hong, Anna Maves, Stephanie Paone, Leah Rose-Goodwin, Christy Simon

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair called the meeting to order at 12:11 p.m., and Ms. Downs took roll call.

Approved minutes of the May 1, June 4, June 10, and June 27 meetings.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 01–19)

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### APPELLATE

#### Judicial Council Report—Recommend Council Action

##### Item 01

##### Appellate Procedure: Civil Case Information Statement, Calendar Preference, and Extension of Time

The committee reviewed a recommendation from the Appellate Advisory Committee that the Judicial Council amend rule 8.100 of the California Rules of Court to require appellants to file the Civil Case Information Statement (APP-004) within 15 days after the reviewing court assigns the appeal a case

number and revising form APP-004 to allow the appellant to provide a nonstatutory reason why the appeal is eligible for calendar preference. The committee also recommended revising the forms used by parties to request extensions of time to file briefs to make slight substantive and formatting improvements.

***Action: The committee unanimously approved the recommendation from the Appellate Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

#### **Item 02**

##### **Appellate Procedure: Expanded Clerk's Transcript in Criminal Appeals**

The committee reviewed a recommendation from the Appellate Advisory Committee that the Judicial Council amend California Rules of Court, rule 8.320 to authorize the Courts of Appeal to require, by local rule, that the clerk's transcript in felony appeals include additional court records from the superior court file beyond those currently required in rule 8.320(b) or (d)(1). The amendment is intended to help minimize delays in felony appeals occasioned by the need to cure omissions from, or make augmentations to, the clerk's transcript.

***Action: The committee unanimously approved the recommendation from the Appellate Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

#### **Item 03**

##### **Appellate Procedure: Deadline for Amicus Curiae Briefs**

The committee reviewed a recommendation from the Appellate Advisory Committee that the Judicial Council amend California Rules of Court, rule 8.200 to provide a deadline for filing an application to file an amicus curiae brief when no respondent's brief has been filed. The proposal is intended to close a gap in the current rule.

***Action: The committee unanimously approved the recommendation from the Appellate Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

#### **Item 04**

##### **Appellate Procedure: Form Briefs for Use in Limited Civil Appeals**

The committee reviewed a recommendation from the Appellate Advisory Committee that the Judicial Council approve three optional form briefs that parties can use in limited civil appeals, as well as related information sheets that explain how to use each form brief. Additionally, the committee recommended amending one rule of court and revising one information sheet to address these new forms. The new forms are intended to assist self-represented litigants and attorneys unfamiliar with appellate practice in drafting effective briefs before the appellate division of the superior court.

***Action: The committee unanimously approved the recommendation from the Appellate Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**CIVIL****Judicial Council Report—Recommend Council Action****Item 05****Civil Practice and Procedure: Order on Unlawful Use of Personal Identifying Information**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council revise form CIV-165, Order on Unlawful Use of Personal Identifying Information, for a judicial officer to identify (1) the business entity at issue in the petition underlying the order and (2) its corresponding file number with the Secretary of State if identified in the petition. The recommendation responds to a request from the Secretary of State's office for more information to allow it to act on a court's determination that a petitioner's personal identifying information was used unlawfully in a business entity filing. The revisions are intended to assist the Secretary of State in locating the offending record so that Secretary of State staff can perform the steps necessary to comply with the court's order granting relief to a petitioner.

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

**Item 06****Civil Practice and Procedure: Memorandum of Costs**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council revise the optional form litigants use for claiming prejudgment costs under Code of Civil Procedure sections 1032 and 1033.5 (form MC-010) to add a certification under penalty of perjury for the costs submitted. The committee also recommended on form MC-010 and its companion worksheet (form MC-011) (1) removing the references to fees for hosting electronic documents as a cost because these fees have sunsetted as an expressly allowable cost and (2) relocating the item "Models, enlargements, and photocopies of exhibits" on the lists of costs. The origins of the proposal were a litigant's challenge to form MC-010's verification language, a sunset provision in the statute, and a suggestion from a form user to make parallel the cost items in the two forms.

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

**Item 07**

**Civil Practice and Procedure: Tentative Rulings**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee for the Judicial Council to eliminate the requirement in Rule 3.1308 that courts that offer tentative rulings in civil law and motion matters make all tentative rulings available by telephone.

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

**Item 08**

**Civil Practice and Procedures: Case Dismissal with Retained Jurisdiction**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council amend California Rules of Court, rule 3.1385 and revise form CIV-110 to implement amended Code of Civil Procedure section 664.6, which allows courts to dismiss cases without prejudice and retain jurisdiction to enforce settlement terms. The rule would be amended to incorporate advisory committee comments clarifying the application of specific subdivisions of the rule depending on whether dismissal under section 664.6 is sought. The recommended form revision would add a new option to request dismissal without prejudice and with retained jurisdiction.

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

**Item 09**

**CEQA Actions: Initial Case Management Conferences**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council amend rule 3.2226 of the California Rules of Court to implement the provisions of Senate Bill 149 concerning initial case management conferences for actions brought under the California Environmental Quality Act.

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

**CENTER FOR JUDICIAL EDUCATION AND RESEARCH (CJER)****Judicial Council Report–Recommend Council Action****Item 10****Judicial Branch Education: Fairness and Access Requirements**

The committee reviewed a recommendation from the Center for Judicial Education and Research Advisory Committee for the Judicial Council to adopt rule 10.465 and amend rule 10.469 to clarify confusion regarding the fairness and access education requirements for judicial officers. The proposal also made related technical changes to rules 10.461 and 10.462.

***Action: The committee unanimously approved the recommendation from the Center for Judicial Education and Research Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**CRIMINAL****Judicial Council Report–Recommend Council Action****Item 11****Criminal Law: Parole Period Advisement**

The committee reviewed a recommendation from the Criminal Law Advisory Committee for the Judicial Council to amend rule 4.433 of the California Rules of Court to add a reference to the parole periods described in Penal Code section 3000.01. The recommended addition to the rules is to the provision on the sentencing judge's advisement to the defendant about the parole period to be served after expiration of the sentence. The proposed amendment reflects a legislative change and is intended to guide sentencing judges in accurately informing defendants of relevant parole periods.

***Action: The committee unanimously approved the recommendation from the Criminal Law Advisory, which is to go to the Judicial Council for action at the September council meeting.***

**Item 12****Criminal Law: Firearm and Body Armor Prohibitions**

The committee reviewed a recommendation from the Criminal Law Advisory Committee for the Judicial Council to revise six criminal forms to incorporate firearm and body armor prohibitions enacted in recent legislation. The committee also recommended revisions to the plea and firearm relinquishment forms to reflect new procedures on firearm relinquishment, clarify prohibited items and relinquishment requirements, and refer to the possibility of a lifetime prohibition on firearm possession for misdemeanor domestic violence offenses. Finally, the committee recommended additional revisions to the felony plea form based on other statutory changes, and to the criminal protective order forms based on stakeholder

***Action: The committee unanimously approved the recommendation from the Criminal Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**FAMILY AND JUVENILE LAW****Judicial Council Report–Recommend Council Action**

Item 13 deferred

Item 14

**Juvenile Law: Harm of Removal**

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee for the Judicial Council to amend three rules and revising one form, effective January 1, 2025. Senate Bill 578 (Ashby; Stats. 2023, ch. 618) amended Welfare and Institutions Code section 319 to require the court to consider the impact on the child when being separated from their parent or guardian at a detention hearing. In addition, the proposal would amend rules and revise a form related to the detention hearing to address the new reporting requirements and clarify the court's role in mitigating harm to the child related to removal from their home.

***Action: The committee unanimously approved the recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**JUDICIAL ADMINISTRATION****Judicial Council Report–Recommend Council Action**

Item 15

**Trial Courts: Standard 2.2 Diversion Reporting**

The committee reviewed a recommendation from the Court Executives Advisory Committee for the Judicial Council to amend standard 2.2 of the California Standards of Judicial Administration, which gives guidance to trial courts on the types of matters that remove a case from court control for purposes of calculating computation of time related to case disposition time goals. Standard 2.2(m)(2)(C) specifies that felony or misdemeanor cases in diversion programs under Penal Code section 1000 et seq. should be excluded from time computation, but the standard is unclear as to whether only drug diversion or all diversion programs under the Penal Code should be excluded. Revising the language in the standard is intended to increase clarity, ensure consistent data reporting, and support council goals related to operational efficiency and improved caseload management.

***Action: The committee unanimously approved the recommendation from Judicial Council staff, which is to go to the Judicial Council for action at the September council meeting.***

**TRAFFIC****Judicial Council Report—Recommend Council Action****Item 16****Traffic: Officer's Declaration in Trial by Written Declaration**

The committee reviewed a recommendation from the Traffic Advisory Committee that the Judicial Council revise Officer's Declaration (form TR-235), which is used in trials by written declaration, to update language and clarify how an engineering and traffic survey, if required, has been provided.

**Action: The committee unanimously approved the recommendation from the Traffic Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.**

**Item 17****Traffic: Mandatory Reminder Notices—Traffic Procedures**

The committee reviewed a recommendation from the Traffic Advisory Committee that the Judicial Council amend California Rules of Court, rule 4.107 to clarify the procedures for sending infraction reminder notices. The committee also recommended adding an exception to the mandatory notice procedures when (1) the defendant does not have a valid physical mailing address or (2) the court does not have the necessary information (a litigant's email address or mobile number) or the technological capability to send a notice electronically. Additionally, the committee recommended amendments to the rule to improve readability and to comply with current law.

**Action: The committee unanimously approved the recommendation from the Traffic Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.**

**Item 18****Traffic: Instructions for Notice to Appear and Related Forms**

The committee reviewed a recommendation from the Traffic Advisory Committee that the Judicial Council revise the manual of instructions for the notice to appear and related forms (form TR-INST) to improve clarity and consistency. The revisions include technical amendments and corrections and responded to suggestions from forms users.

**Action: The committee unanimously approved the recommendation from the Traffic Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.**

**Item 19****Traffic: Ability-to-Pay Request Form and Court Order**

The committee reviewed a recommendation from the Traffic Advisory Committee that the Judicial Council revise two ability-to-pay forms to incorporate options currently offered through the court's online ability-to-

pay tool, My Citations. Multiple stakeholders have requested the same options as My Citations. Specifically, stakeholders have requested the ability to offer a plea on the form, instead of requiring litigants to go to court.

***Action: The committee unanimously approved the recommendation from the Traffic Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

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**I. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**Next Rules Committee meeting will be held on:** August 13, 2024

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 12:53 p.m.

Approved by the committee on

DRAFT





# Judicial Council of California

Rules Committee

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[rulesmeetings@jud.ca.gov](mailto:rulesmeetings@jud.ca.gov)

## RULES COMMITTEE

### MINUTES OF OPEN VIDEOCONFERENCE MEETING

Tuesday, August 13, 2024

12:10 p.m. – 1:40 p.m.

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**Rules Committee Members Present:** Hon. Carin T. Fujisaki (Chair), Hon. Michelle Williams Court (Vice-chair), Ms. Kate Bieker, Hon. Maria D. Hernandez, Ms. Rachel Hill, Mr. Charles Johnson and Hon. Erica Yew

**Rules Committee Members Absent:** Hon. Charles S. Crompton and Mr. Maxwell Pritt

**Rules Committee Staff Present:** Ms. Anne M. Ronan and Ms. Benita Downs

**Advisory Bodies Chair(s) and Staff Present** Kerry Doyle, Sarah Fleischer-Ihn, Diana Glick, Frances Ho, Kara Portnow, Gabrielle Selden, and Corby Sturges

**Other JC Staff Present** Michael Giden, Audrey Fancy, Anna Maves, Christy Simon, and Marymichael Smrdeli

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#### OPEN MEETING

##### Call to Order and Roll Call

The chair called the meeting to order at 12:11 p.m., and Ms. Downs took roll call. After the roll call, Justice Fujisaki announced that Ms. Hill had abstained from voting on all proposals.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 01 – 11)

### CALIFORNIA CRIMINAL JURY INSTRUCTIONS (CALCRIM)

#### Judicial Council Report—Recommend Council Action

##### Item 01

##### Jury Instructions: Criminal Jury Instructions (2024 Supplement)

The committee reviewed a recommendation from the Advisory Committee on Criminal Jury Instructions that the Judicial Council approve the publication of the revised criminal jury instructions prepared by the committee under rule 2.1050 of the California Rules of Court.

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

## COURT INTERPRETERS

### Judicial Council Report–Recommend Council Action

#### Item 02

##### Court Interpreters: Implementation of Assembly Bill 1032

The committee reviewed a recommendation from the Court Interpreters Advisory Panel that the Judicial Council amend rule 2.893 and revise four forms to conform with recent statutory changes enacted by Assembly Bill 1032 (Pacheco; Stats. 2023, ch. 556), relating to provisionally qualified court interpreters.

**Action: The committee unanimously approved the recommendation from the Court Interpreters Advisory Panel, which is to go to the Judicial Council for action at the September council meeting.**

## FAMILY AND JUVENILE LAW

### Judicial Council Report–Recommend Council Action

#### Item 03

##### Family Law: Adoption Forms

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council adopt one new form and revise six forms to simplify, clarify, and provide additional guidance necessary during the adoption process for all adopting parents, and their counsel if represented. The committee further recommended revising the adoption request form to conform to Assembly Bill 1650 (Patterson; Stats. 2023, ch.76), which requires that the petitioner inform the court, in writing, whether the petitioner has entered, or has agreed to enter, into a postadoption contact agreement.

**Action: The committee unanimously approved the recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.**

**PROBATE****Judicial Council Report—Recommend Council Action****Item 04 deferred****Item 05****Probate Conservatorship: Confidential Declaration Forms**

The committee reviewed a recommendation from the Probate and Mental Health Advisory Committee that the Judicial Council adopt one form, revise one form, and revoke and replace one form for use as declarations regarding the abilities and capacities of a probate conservatee or proposed conservatee. This recommendation updates the forms to conform to the law as amended by recent legislation, including Assembly Bill 1194 (Stats. 2021, ch. 417) and Assembly Bill 1663 (Stats. 2022, ch. 894), and makes the forms easier for professional declarants to use to communicate their conclusions to the court.

**Action:** *The committee unanimously approved the recommendation from the Probate and Mental Health Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.*

**Item 06****Probate Guardianship: Participation of a Minor Ward in Court**

The committee reviewed a recommendation from the Probate and Mental Health Advisory Committee that the Judicial Council amend rule 7.1016 to conform to Senate Bill 654 (Stats. 2021, ch. 768, § 2), which amended Family Code section 3042 to place additional conditions on a minor child's participation in court or testimony in proceedings, including probate guardianships of the person, that address child custody or visitation. The committee also recommended amending the rule to conform more closely to statute by limiting its application to specified proceedings and expanding its protections to apply to wards who are parties, as well as to express its requirements more clearly.

**Action:** *The committee unanimously approved the recommendation from the Probate and Mental Health Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.*

**PROTECTIVE ORDERS****Judicial Council Report—Recommend Council Action****Item 07****Juvenile Law: Restraining Orders**

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council amend several California Rules of Court, and revise several forms to conform to recent statutory changes that impact juvenile restraining orders. Assembly Bill 1621 (Gipson; Stats. 2022, ch. 76) redefines "firearm precursor parts" and Assembly Bill 92 (Connolly; Stats. 2023, ch. 232) specifies

that a person who is prohibited from possessing firearms is also prohibited from possessing, owning, or buying body armor. The committee also proposed a new notice of hearing form that is separate from the temporary restraining order forms and a new rule clarifying the requirement that the juvenile court that has jurisdiction of a child or youth must hear requests for restraining orders initiated by or brought against the child or youth.

***Action: The committee unanimously approved the recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

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**Item 08****Protective Orders: Rule and Form Changes to Implement Senate Bill 459**

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council adopt a new series of domestic violence restraining order forms to allow either party to request to change or end a domestic violence restraining order. The proposal also recommended changes to existing family law forms and a family law rule of court to reflect the new proposed process. The recommended changes will help parties, attorneys, and court professionals understand the procedures to modify or terminate orders made in a domestic violence restraining order.

***Action: The committee unanimously approved the recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**Item 09****Protective Orders: Implementation of Body Armor Restrictions Under AB 92**

The committee reviewed a recommendation from the Family and Juvenile Advisory Committee that the Judicial Council revise 10 existing Judicial Council forms to implement Assembly Bill 92 (Stats. 2023, ch. 232). Under AB 92 a person prohibited from possessing firearms under state law is also prohibited from possessing, owning, or buying body armor.

***Action: The committee unanimously approved the recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**Item 10****Protective Orders: Revisions to Civil Forms to Implement New Law**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council revise of numerous protective order forms to implement three significant changes to the law. First, changes were needed to all the restraining order form series, including the Gun Violence, Civil Harassment, Elder Abuse, Workplace Violence, and Private Post-Secondary School Violence forms, to implement a new law prohibiting the possession of body armor by those who are prohibited from possessing firearms. Second, further changes were needed to gun violence restraining order forms to reflect a new law that permits the acquisition of body armor to be considered as evidence in determining whether to issue such a restraining order. Finally, additional changes were needed to certain workplace violence restraining order forms to implements new laws that add harassment as a basis for such orders, permit collective bargaining representatives to petition for orders, and allow the employee who suffered the harassment, violence, or threat of violence to opt out of being named in orders.

***Action: The committee unanimously approved the recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**TRIBAL COURT–STATE COURT FORUM****Judicial Council Report–Recommend Council Action****Item 11****Family and Juvenile Law: Recognition and Enforcement of Tribal Court Child Custody Order**

The committee reviewed a joint recommendation from the Tribal Court–State Court Forum and the Family and Juvenile Law Advisory Committee that the Judicial Council approve two new forms and revise four existing forms to clarify that the requirement to recognize and enforce child custody orders under the provisions of the Uniform Child Custody Jurisdiction and Enforcement Act (found in Family Code sections 3400–3465) applies to custody orders issued by a tribal court. Tribal court judges reported that they had experienced problems having their child custody orders registered and enforced because the existing form refers only to out-of-state custody orders and does not reference tribal court orders.

***Action: The committee unanimously approved the joint recommendation from the Tribal Court–State Court Forum and the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**JUDICIAL COUNCIL STAFF****Judicial Council Report–Recommend Council Action****Item 12****Family and Juvenile Law: Technical Changes**

The committee reviewed a recommendation from Judicial Council staff noting minor errors in five forms and that the Judicial Council revise them to make nonsubstantive technical changes and corrections to improve their accuracy and to avoid causing confusion for court users, clerks, and judicial officers.

***Action: The committee unanimously approved the recommendation from Judicial Council staff, which is to go to the Judicial Council for action at the September council meeting.***

**DEFERRED ITEMS FROM AUGUST 6: FAMILY AND JUVENILE LAW ITEMS 13 AND 14****Judicial Council Report–Recommend Council Action****Item 13 (deferred from the August 6 meeting)****Jointly with the Criminal Law Advisory Committee****Criminal Law and Family Law: Changes to Form MIL-100**

The committee reviewed a joint recommendation from Family and Juvenile Law Advisory Committee and Criminal Law Advisory Committee that the Judicial Council revise *Notification of*

*Military/Veteran/Reserve/Active Status* (form MIL-100) to implement Family Code section 211.5, which was added by Senate Bill 1182 (Stats. 2022, ch. 385). In addition, the committees recommended revising the form to clarify procedures under Penal Code section 858 when the form is filed in a criminal case, and update and reformat information on the form for legal accuracy and improved readability.

***Action: The committee unanimously approved the joint recommendation from the Family and Juvenile Law Advisory Committee and Criminal Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.***

**Item 14 deferred**

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**I. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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Next Rules Committee meeting date is to be determined

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 1:03 p.m.

Approved by the committee on



# Judicial Council of California

Rules Committee

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[rulesmeetings@jud.ca.gov](mailto:rulesmeetings@jud.ca.gov)

## RULES COMMITTEE

### MINUTES OF OPEN VIDEOCONFERENCE MEETING

Friday, August 30, 2024

12:10 p.m. – 1:10 p.m.

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<b>Rules Committee Members Present:</b>	Hon. Carin T. Fujisaki (Chair), Hon. Michelle Williams Court (Vice-chair), Hon. Charles S. Crompton, Hon. Maria D. Hernandez, Ms. Rachel Hill, Mr. Charles Johnson and Mr. Maxwell Pritt
<b>Rules Committee Members Absent:</b>	Ms. Kate Bieker and Hon. Erica Yew
<b>Rules Committee Staff Present:</b>	Mr. Michael Giden and Ms. Benita Downs
<b>Rules Committee Staff Absent:</b>	Ms. Anne Ronan
<b>Advisory Bodies Chair(s) and Staff Present:</b>	Jenny Grantz, Marymichael Smrdeli, and Corby Sturges
<b>Other JC Staff Present:</b>	Audrey Fancy, Anne Hadreas, and Christy Simon

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#### OPEN MEETING

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#### Call to Order and Roll Call

The chair called the meeting to order at 12:12 p.m., and Ms. Downs took roll call.

#### DISCUSSION AND ACTION ITEMS (ITEMS 01-04)

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#### CIVIL AND SMALL CLAIMS

#### Judicial Council Report—Recommend Council Action

##### Item 01

##### Civil Practice and Procedure: Rule and Forms to Implement Assembly Bill 1119

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council adopts one form, and adopting seven mandatory forms, and revising six forms to implement Assembly Bill 1119 (Stats. 2023, ch. 562), enacted October 8, 2023, that requires the Judicial Council to adopt and revise forms as necessary to implement a new procedure for debtor's examinations used to enforce judgments concerning consumer debts.



**Action: The motion passed with a majority vote in favor (yes), with one dissenting vote (no) to approve the recommendation from the Civil and Small Claims Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.**

## **FAMILY AND JUVENILE LAW**

### **Judicial Council Report–Recommend Council Action**

**Item 02 deferred**

**Item 03**

#### **Juvenile Law: Harm of Removal**

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council amend three rules and revise one Judicial Council form to implement recent legislation creating new factors to be considered by the juvenile court at a detention hearing. Senate Bill 578 (Ashby; Stats. 2023, ch. 618) amended Welfare and Institutions Code section 319 to require the court to consider the impact on the child when being separated from their parent or guardian at a detention hearing. The proposed changes to the rules and form related to the detention hearing address the new reporting requirements and clarify the court's role in mitigating harm to the child related to removal from their home.

**Action: The committee unanimously approved the recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.**

## **PROBATE**

### **Judicial Council Report–Recommend Council Action**

**Item 04**

#### **Probate Conservatorship: Care Plan**

The committee reviewed a recommendation from the Probate and Mental Health Advisory Committee that the Judicial Council revise one form and adopt one form for mandatory use by a conservator of the person to prepare and file the confidential conservatorship care plan required by Probate Code section 2351.2. As required by Probate Code section 2352.5, the revised form also includes the conservator's determination of the conservatee's level of care. The recommended action is needed to conform to changes in the law.

**Action: The committee unanimously approved the recommendation from the Probate and Mental Health Advisory Committee, which is to go to the Judicial Council for action at the September council meeting.**

**I. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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Next Rules Committee meeting will be held on October 22, 2024

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 12:50 p.m.

Approved by the committee on

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## RULES COMMITTEE

### MINUTES OF OPEN VIDEOCONFERENCE MEETING

Thursday, December 5, 2024  
4:10 p.m. – 5:10 p.m.

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**Rules Committee Members Present:** Hon. Carin T. Fujisaki (Chair), Hon. Joan K Irion (Vice-chair), Hon. Khymerli S.Y. Apaloo, Hon. Bunmi O. Awoniyi, Ms. Kate Bieker, Hon. Charles S. Crompton, Hon. Ryan Davis, and Mr. Charles Johnson

**Rules Committee Members Absent:** Mr. Craig M. Peters and Mr. Maxwell V. Pritt

**Rules Committee Staff Present:** Mr. James Barolo, Mr. Eric Long, and Ms. Benita Downs

**JC Staff Presenting:** James Barolo, Eric Divine, Sarah Fleischer-Ihn, Jenny Grantz, Anne Hadreas, Jamie Schechter, Tyler Shill, Corby Sturges, and Jeremy Varon

**JC Staff Present:** Audrey Fancy, Michael Giden, Sarah Jacobvitz, Stephanie Lacambra, and Marymichael Smrdeli

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#### OPEN MEETING

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##### Call to Order and Roll Call

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

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#### DISCUSSION AND ACTION ITEMS (ITEMS 01–11)

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### JUDICIAL BRANCH ADMINISTRATION

#### Invitation to Comment–Recommend Circulation for Comment

##### Item 01

##### Judicial Branch Technology: Rules for Adoption of Technological and Data Security Standards

The committee reviewed the joint proposal from the Court Executives Advisory Committee (CEAC) and the Information Technology Advisory Committee (ITAC) proposing amending one rule and adopting one rule to create a process for adopting and revising technology and data security guidelines for the courts and the Judicial Council. This proposal originated with the Joint Information Security Governance Subcommittee, which reviews and recommends security-related guidelines, policies, and other proposals for action by ITAC and CEAC.

**Action: The committee unanimously approved the joint proposal for circulation on the regular winter cycle through January 6.**

## APPELLATE

### Invitation to Comment–Recommend Circulation for Comment

**Item 02** (Jointly with the Civil and Small Claims Advisory Committee)

#### **CEQA Actions: New Projects and Fees for Expedited Review**

The committee reviewed a joint proposal from the Appellate Advisory Committee and the Civil and Small Claims Advisory Committee to amend California Rules of Court for the expedited resolution of actions and proceedings brought under the California Environmental Quality Act (CEQA). As mandated by the Legislature, the Judicial Council previously adopted rules and established procedures to implement a statutory scheme for the expedited resolution of actions and proceedings brought under CEQA challenging certain projects that qualified for such streamlined procedures. The proposal amended several rules to implement recent legislation requiring inclusion of specified additional projects and removal of certain other projects for streamlined review. The committees also recommended the amendment of two rules to implement statutory provisions requiring that, for the new category of projects, the council, by rule of court, establish fees to be paid by project applicants to the courts for the additional costs of streamlined CEQA review.

**Action: The committee unanimously approved the joint proposal for circulation on the regular winter cycle through January 6.**

## CIVIL AND SMALL CLAIMS

### Invitation to Comment–Recommend Circulation for Comment

**Item 03**

#### **Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions**

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee to amend California Rules of Court, rule 3.545 and adopt rule 3.546 to modify the procedures courts must follow when terminating coordinated actions and to specify procedures for terminating coordination proceedings. The proposal aimed to address procedural concerns first raised by a superior court judge who has managed numerous coordination proceedings.

**Action: The committee unanimously approved the proposal for circulation on the regular winter cycle through January 6.**

**CRIMINAL****Invitation to Comment–Recommend Circulation for Comment****Item 04****Criminal Law: Felony Plea Form**

The committee reviewed a recommendation from the Criminal Law Advisory Committee recommending adding two new advisements to the felony plea form in light of recent case law and Proposition 36 (“The Homelessness, Drug Addiction, and Theft Reduction Act”) approved by voters in the General Election on November 5, 2024. The committee also recommended clarifying language about the factual basis for the plea.

***Action: The committee unanimously approved the proposal for circulation on the regular winter cycle through January 6.***

**Item 05****Criminal Law: New Postconviction Retail Crime Restraining Order**

The committee reviewed a proposal from the Criminal Law Advisory Committee proposing a new retail crime restraining order to implement Assembly Bill 3209 (Stats. 2024, ch. 169). The order would prohibit defendants convicted of specified offenses from entering the premises of a protected retail establishment for up to two years.

***Action: The committee unanimously approved the proposal for circulation on the regular winter cycle through January 6.***

**FAMILY AND JUVENILE****Invitation to Comment–Recommend Circulation for Comment****Item 06****Juvenile Law: Restitution Orders**

The committee reviewed a proposal from the Family and Juvenile Law Advisory Committee proposing revising the restitution order and instructions forms to delete joint and several liability for juvenile co-offenders, address restitution apportionment in juvenile court orders, and clarify the liability of others who may be ordered to pay restitution in criminal and juvenile proceedings. In addition, the committee proposed revisions to allow for use of the order when a child under informal supervision has stipulated to restitution.

***Action: The committee unanimously approved the proposal for circulation on the regular winter cycle through January 6.***

**PROTECTIVE ORDERS****Invitation to Comment–Recommend Circulation for Comment****Item 07****Protective Orders: New Civil Retail Crime Restraining Order**

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee proposing amending three California Rules of Court, adopting six Judicial Council forms for mandatory use, and approving two information sheets in a new forms series to implement recent legislation creating a new civil retail crime restraining order.

**Action:** *The committee unanimously approved the proposal for circulation on the regular winter cycle through January 6.*

**PROBATE AND MENTAL HEALTH****Invitation to Comment–Recommend Circulation for Comment****Item 08****Rules and Forms: Additional CARE Act Legislation**

The committee reviewed a proposal from the Probate and Mental Health Advisory Committee proposing amending three rules of court, adopting one form, approving two forms, revising three forms, adopting one standard of judicial administration, and renaming a title in the standards of judicial administration to implement recently enacted Senate Bills 42 (Stats. 2024, ch. 640), 1323 (Stats. 2024, ch. 646), and 1400 (Stats. 2024, ch. 647). The legislation amended both substantive and procedural aspects of the Community Assistance, Recovery, and Empowerment (CARE) Act. In addition, the committee also proposed revisions to certain forms in response to feedback from members of the public regarding the forms' readability and ease of use.

**Action:** *The committee unanimously approved the proposal for circulation on the regular winter cycle through January 6.*

**Item 09****Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death**

The committee reviewed a proposal from the Probate and Mental Health Advisory Committee proposing amending two rules of court and revising six forms in response to recent legislation. Senate Bill 1106 (Stats. 2024, ch. 455) expands the duty of a conservator or guardian of the person to give notice before the change of residence of a conservatee or ward and requires a conservator to give notice, electronically if possible, of any arrangements they have made for a deceased conservatee's funeral or similar memorial service. The proposed changes would also update the rules and forms to conform to other amendments to the law, including the statutory

authorization of electronic delivery of notices and other papers in specified circumstances, as well as make technical, clarifying, and conforming changes.

**Action: The committee unanimously approved the proposal for circulation on the regular winter cycle through January 6.**

**Item 10**

**Decedents' Estates: Succession to Real Property of Small Value**

The committee reviewed a proposal from the Probate and Mental Health Advisory Committee proposing revising two forms in response to recent legislation that changed the statutory procedure for claiming succession to real property by raising the maximum value of the property claimed to \$750,000 and limiting the application of the procedure to succession to a decedent's primary residence in California. The proposed form revisions would conform to these changes and make technical and formatting corrections.

**Action: The committee unanimously approved the proposal for circulation on the regular winter cycle through January 6.**

**TRAFFIC**

**Judicial Council Circulating Order Memorandum—Recommend Council Action**

**Item 11/ Circulating Order CO-24-01**

**Uniform Bail and Penalty Schedules: 2025 Edition**

The committee reviewed a recommendation from the Traffic Advisory Committee that the Judicial Council, effective January 1, 2025, adopt revisions to the Uniform Bail and Penalty Schedules, 2025 Edition: Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing (Uniform Bail and Penalty Schedules or UBPS). Action must be taken between the Judicial Council's regularly scheduled meetings because the Judicial Council does not have a scheduled meeting in December, and as a result of the Governor's signing deadline, revisions to the UBPS require approval via circulating order.

**Action: The committee unanimously approved the recommendation from the Traffic Advisory Committee in the circulating order memorandum, which was circulated to the Judicial Council for action.**

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**I. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**Next Rules Committee Meeting will be held on: January 8, 2025**

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 5:06 p.m.

Approved by the committee on



# Judicial Council of California

Rules Committee

[courts.ca.gov/rulescomm.htm](https://courts.ca.gov/rulescomm.htm)  
[rulesmeetings@jud.ca.gov](mailto:rulesmeetings@jud.ca.gov)

## RULES COMMITTEE

### MINUTES OF ACTION BY EMAIL

Thursday, December 19, 2024

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**Rules Committee Members Who Participated:**

Hon. Carin T. Fujisaki (Chair), Hon. Joan K Irion (Vice-chair), Hon. Khymberli S.Y. Apaloo, Hon. Bunmi O. Awoniyi, Ms. Kate Bieker, Hon. Charles S. Crompton, Hon. Ryan Davis, Mr. Charles Johnson, Mr. Craig M. Peters and Mr. Maxwell V. Pritt.

**Rules Committee Staff:**

Mr. James Barolo, Mr. Eric Long, and Ms. Benita Downs

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**ACTION BY EMAIL**

As provided in the California Rules of Court, rule 10.75 (o)(1)(B), the chair concluded that prompt action was needed. This action by email concerned a matter that would otherwise be discussed in an open meeting; therefore, in accordance with rule 10.75(o)(2), public notice and the proposal were posted on Wednesday, December 18, 2024, to allow at least one complete business day for public comment before the committee took action. No public comments were received.

---

**OPEN ACTION AND DISCUSSION ITEMS (01)**

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**JUDICIAL COUNCIL STAFF****Item 01/Circulating Order****Unlawful Detainer: Deadline to Respond to Summons**

The committee reviewed a recommendation from Judicial Council staff that the council, effective January 1, 2025, revise Summons—Eviction (form SUM-130) to reflect the change made by AB 2347 to the deadline to respond to the summons in unlawful detainer proceedings and other summary proceedings for obtaining possession of real property.

***Action: The committee unanimously approved Judicial Council staff recommendation in the circulating order memorandum, which was circulated to the Judicial Council for action.***

---

**CLOSURE OF ACTION**

The action by email concluded on Friday, December 20, 2024, at 2:00 p.m.

Approved by the committee on





## RULES COMMITTEE

### MINUTES OF OPEN VIDEOCONFERENCE MEETING

Wednesday, January 8, 2025  
12:10 p.m. – 1:40 p.m.

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<b>Rules Committee Members Present:</b>	Hon. Carin T. Fujisaki (Chair), Hon. Joan K Irion (Vice-chair), Hon. Khymberli S.Y. Apaloo, Hon. Bunmi O. Awoniyi, Ms. Kate Bieker, Hon. Charles S. Crompton, Hon. Ryan Davis, Mr. Charles Johnson, and Mr. Craig M. Peters
<b>Rules Committee Members Absent:</b>	Hon. Ricardo Ocampo and Mr. Maxwell V. Pritt
<b>Rules Committee Staff Present:</b>	Mr. James Barolo, Mr. Eric Long, and Ms. Benita Downs
<b>Advisory Bodies Staff Present</b>	Kara Portnow and Jenny Grantz

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m., and Ms. Downs took roll call.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 01–02)

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##### CRIMINAL JURY INSTRUCTIONS (CALCRIM)

---

##### Judicial Council Report—Recommend Council Action

###### Item 01

##### Jury Instructions: Criminal Jury Instructions (2025 Edition)

The Rules Committee reviewed a recommendation from the Advisory Committee on Criminal Jury Instructions for approval for the publication of the new and revised criminal jury instructions prepared by the committee under rule 2.1050 of the California Rules of Court. These changes will keep the instructions current with statutory and case authority. Once approved, the revised instructions will be published in the 2025 edition of Judicial Council of California Criminal Jury Instructions (CALCRIM).

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

## JUDICIAL COUNCIL STAFF

---

### Judicial Council Report–Recommend Council Action

#### Item 02

##### Rules and Forms: Calculation of Earnings Withholding Period

The Rules Committee reviewed a recommendation from Judicial Council staff to revise five Judicial Council forms to implement AB 2837 (Stats. 2024, ch. 514), enacted September 24, 2024, that created an address verification requirement for service by the levying officer of documents related to enforcement of a judgment for personal debt and changed the start of the withholding period for an earnings withholding order. The forms will be circulated for post-approval public comment as part of a larger proposal to implement the bill. The current changes are needed to ensure that the forms are not stating incorrect law in the meantime.

***Action: The committee unanimously approved the recommendation from Judicial Council staff, which is to go to the Judicial Council for action at the February council meeting.***

---

#### INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

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**The Next Rules Committee meeting will be held on: March 13, 2025**

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#### ADJOURNMENT

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There being no further business, the meeting was adjourned at 12:28 p.m.

Approved by the committee on



## Judicial Council of California

Rules Committee

[courts.ca.gov/rulescomm.htm](https://courts.ca.gov/rulescomm.htm)  
[rulesmeetings@jud.ca.gov](mailto:rulesmeetings@jud.ca.gov)

### RULES COMMITTEE

#### MINUTES OF ACTION BY EMAIL

Friday, January 24, 2025

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**Rules Committee  
Members Who  
Participated:**

Hon. Carin T. Fujisaki (Chair), Hon. Joan K Irion (Vice-chair), Hon. Khymberli S.Y. Apaloo, Hon. Bunmi O. Awoniyi, Ms. Kate Bieker, Hon. Charles S. Crompton, Hon. Ryan Davis, Mr. Charles Johnson, Mr. Craig M. Peters and Mr. Maxwell V. Pritt

**Rules Committee  
Staff:**

Mr. James Barolo, Mr. Eric Long, and Ms. Benita Downs

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**ACTION BY EMAIL**

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As provided in the California Rules of Court, rule 10.75 (o)(1)(B), the chair concluded that prompt action was needed. This action by email concerned a matter that would otherwise be discussed in an open meeting; therefore, in accordance with rule 10.75(o)(2), public notice and the proposal were posted on Tuesday, January 21, 2025, to allow at least one complete business day for public comment before the committee took action. No public comments were received.

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**OPEN ACTION AND DISCUSSION ITEMS (01)**

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#### JUDICIAL COUNCIL STAFF

**Item 01****Rules and Forms: Technical Form Changes to Reflect Federal Poverty Guidelines**

The committee reviewed a recommendation from Judicial Council staff that the council revise four Judicial Council forms to reflect the 2025 federal poverty guidelines which are updated annually in January.

***Action: The committee unanimously approved the recommendation from Judicial Council staff, which is to go to the Judicial Council for action at the February council meeting.***

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**CLOSURE OF ACTION**

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The action by email concluded on Monday, January 27, 2025, at noon.

Approved by the committee on



# Judicial Council of California

Rules Committee

[courts.ca.gov/rulescomm.htm](https://courts.ca.gov/rulescomm.htm)  
[rulesmeetings@jud.ca.gov](mailto:rulesmeetings@jud.ca.gov)

## RULES COMMITTEE

### MINUTES OF OPEN VIDEOCONFERENCE MEETING

Friday, October 4, 2024

12:10 p.m. – 12:40 p.m.

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**Rules Committee Members Present:** Hon. Carin T. Fujisaki (Chair), Hon. Khymberli S.Y. Apaloo, Hon. Bunmi O. Awoniyi, Ms. Kate Bieker, Hon. Charles S. Crompton, Hon. Ryan Davis, Hon. Joan K Irion and Mr. Charles Johnson

**Rules Committee Members Absent:** Mr. Craig M. Peters and Mr. Maxwell V. Pritt

**Rules Committee Staff Present:** Mr. James Barolo, Mr. Eric Long, and Ms. Benita Downs

**JC Staff Presenting:** Kerry Doyle, Frances Ho, and Eric Long

**JC Staff Present:** Audrey Fancy, Michael Giden, and Christy Simons

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#### OPEN MEETING

##### Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m., and Ms. Downs took roll call.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 01-04)

#### ADVISORY COMMITTEE ON CIVIL JURY INSTRUCTIONS (CACI)

##### Memorandum-Rules Committee Action Only

##### Item 01

##### Civil Jury Instructions: Instructions With Minor or Nonsubstantive Revisions (Release 46)

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.*

## Judicial Council Report—Recommend Council Action

### Item 02

#### Jury Instructions: Civil Jury Instructions (release 46)

The committee reviewed a recommendation from the Advisory Committee on Civil Jury Instructions for the approval of new and revised civil jury instructions and verdict forms 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. Upon Judicial Council approval, the instructions will be published in the official 2025 edition of the Judicial Council of California Civil Jury Instructions (CACI).

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

## FAMILY AND JUVENILE LAW

## Judicial Council Report—Recommend Council Action

### Item 03

#### Family Law: Adoption Forms

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee to adopt one new form and revising six forms to simplify, clarify, and provide additional guidance necessary during the adoption process for all adopting parents, and their counsel if represented. The committee further recommended revising the adoption request form to conform to Assembly Bill 1650 (Patterson; Stats. 2023, ch.76), which requires that the petitioner inform the court, in writing, whether the petitioner has entered, or has agreed to enter, into a postadoption contact agreement.

***Action: The committee unanimously approved the recommendation of Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council discussion agenda for action at the November council meeting.***

## JUDICIAL COUNCIL STAFF

## Judicial Council Report—Recommend Council Action

### Item 04

#### Protective Orders: Technical Changes to Domestic Violence Restraining Order

The committee reviewed a recommendation from Judicial Council Staff noting minor errors in a domestic violence restraining order form and recommending revising the form to make nonsubstantive technical changes to improve the accuracy and to avoid confusion for court users, clerks, and judicial officers.

***Action: The committee unanimously approved the recommendation from Judicial Council staff, which is to go to the Judicial Council for action at the November council meeting.***

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**I. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**Next Rules Committee Meeting will be held on: October 22, 2024**

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 12:25 p.m.

Approved by the committee on



# Judicial Council of California

Rules Committee

[courts.ca.gov/rulescomm.htm](https://courts.ca.gov/rulescomm.htm)  
[rulesmeetings@jud.ca.gov](mailto:rulesmeetings@jud.ca.gov)

## RULES COMMITTEE

### MINUTES OF OPEN VIDEOCONFERENCE MEETING

Tuesday, October 22, 2024

12:10 p.m. – 1:40 p.m.

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<b>Rules Committee Members Present:</b>	Hon. Carin T. Fujisaki (Chair), Hon. Khymerli S.Y. Apaloo, Ms. Kate Bieker, Hon. Charles S. Crompton, Hon. Ryan Davis, Hon. Joan K Irion and Mr. Charles Johnson
<b>Rules Committee Members Absent:</b>	Hon. Bunmi O. Awoniyi, Mr. Craig M. Peters, and Mr. Maxwell V. Pritt.
<b>Rules Committee Staff Present:</b>	Mr. James Barolo, Mr. Eric Long, and Ms. Benita Downs
<b>Advisory Bodies Chairs and JC Staff Presenting:</b>	Hon. Maria Lucy Armendariz, Hon. Jayne Chong-Soon Lee, Hon. Tari L. Cody, Hon. Adrienne M. Grover, Hon. Stephanie E. Hulse, Hon. Joan K. Irion, Hon. Donald J. Proietti, Hon. Lisa R. Rodriguez, Hon. Jeffrey S. Ross, James Barolo, Eric Divine, Sarah Fleischer-Ihn, Jenny Grantz, Anne Hadreas, Sarah Jacobvitz, Stephanie Lacabra, Eric Long, Kara Portnow, Jamie Schechter, Tyler Shill, Corby Sturges, and Jeremy Varon
<b>JC Staff Present:</b>	Deirdre Benedict, Audrey Fancy, Jenny Grantz, and Christy Simons

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#### OPEN MEETING

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##### Call to Order and Roll Call

The chair called the meeting to order at 12:10 p.m., and Ms. Downs took roll call.

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#### DISCUSSION AND ACTION ITEMS (ITEMS 01-08)

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### FAMILY AND JUVENILE

#### Annual Agenda—Rules Committee Action Only

##### Item 01 (Out of order)

##### Family and Juvenile Law Advisory Committee

The committee reviewed the proposed 2025 annual agenda of the Family and Juvenile Law Advisory Committee.

**Action:** *The committee unanimously approved the 2025 annual agenda of the Family and Juvenile Law Advisory Committee.*

## CALIFORNIA CIVIL JURY INSTRUCTIONS (CACI)

### Annual Agenda–Rules Committee Action Only

#### Item 02

##### Advisory Committee on Civil Jury Instructions (CACI) Annual Agenda

The committee reviewed the proposed 2025 annual agenda of the Advisory Committee on Civil Jury Instructions.

**Action:** *The committee unanimously approved the 2025 annual agenda of the Advisory Committee on Civil Jury Instructions.*

## CALIFORNIA CRIMINAL JURY INSTRUCTIONS (CALCRIM)

### Annual Agenda–Rules Committee Action Only

#### Item 03

##### Advisory Committee on Criminal Jury Instructions (CALCRIM) Annual Agenda

The committee reviewed the proposed 2025 annual agenda of the Advisory Committee on Criminal Jury Instructions.

**Action:** *The committee unanimously approved the 2025 annual agenda of the Advisory Committee on Criminal Jury Instructions.*

## APPELLATE

### Annual Agenda–Rules Committee Action Only

#### Item 04

##### Appellate Advisory Committee

The committee reviewed the proposed 2025 annual agenda of the Appellate Advisory Committee.

**Action:** *The committee unanimously approved the 2025 annual agenda of the Appellate Advisory Committee.*

## CIVIL AND SMALL CLAIMS

### Annual Agenda–Rules Committee Action Only

#### Item 05

##### Civil and Small Claims Advisory Committee

The committee reviewed the proposed 2025 annual agenda of the Civil and Small Claims Advisory Committee.

**Action:** *The committee unanimously approved the 2025 annual agenda of the Civil and Small Claims Advisory Committee.*



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**CRIMINAL**

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**Annual Agenda–Rules Committee Action Only**

**Item 06**

**Criminal Law Advisory Committee Annual Agenda**

The committee reviewed the proposed 2025 annual agenda of the Criminal Law Advisory Committee.

**Action: The committee unanimously approved the 2025 annual agenda of the Criminal Law Advisory Committee.**

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**PROBATE AND MENTAL HEALTH**

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**Annual Agenda–Rules Committee Action Only**

**Item 07**

**Probate and Mental Health Advisory Committee**

The committee reviewed the proposed 2025 annual agenda of the Probate and Mental Health Advisory Committee.

**Action: The committee unanimously approved the 2025 annual agenda of the Probate and Mental Health Advisory Committee.**

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**TRAFFIC**

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**Annual Agenda–Rules Committee Action Only**

**Item 08**

**Traffic Advisory Committee Annual Agenda**

The committee reviewed the proposed 2025 annual agenda of the Traffic Advisory Committee.

**Action: The committee unanimously approved the 2025 annual agenda of the Traffic Advisory Committee.**

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**I. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)**

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**Next Rules Committee Meeting will be held on: December 5, 2024**

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**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 1:20 p.m.

Approved by the committee on

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:

**Submit to JC (without circulating for comment)**

**Title of proposal:** Judicial Branch Education: Center for Judicial Education and Research Advisory Committee Name Change and Other Technical Amendments

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Amend Cal. Rules of Court, rules 10.40, 10.50, 10.52, 10.55, 10.56, 10.60, 10.461, 10.462, 10.468, 10.469, 10.473, and 10.481

*Committee or other entity submitting the proposal:*

Executive and Planning Committee

*Staff contact (name, phone and email):* Amber Barnett, 916-263-1398; Jason Mayo, 415-865-8867, [jason.mayo@jud.ca.gov](mailto:jason.mayo@jud.ca.gov)

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date):

Project description from annual agenda:

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

The rules proposal reflects a name change for the council's education office that already took effect.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) 02/21/2025

approved by Office Director (or Designee) (name) Laura Speed  
on (date) 02/21/2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-087*

For business meeting on April 25, 2025

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Title

Judicial Branch Education: Center for Judicial Education and Research Advisory Committee Name Change and Other Technical Amendments

Report Type

Action Required

Effective Date

July 1, 2025

Rules, Forms, Standards, or Statutes Affected

Amend Cal. Rules of Court, rules 10.40, 10.50, 10.52, 10.55, 10.56, 10.60, 10.461, 10.462, 10.468, 10.469, 10.473, and 10.481

Date of Report

February 25, 2025

Contact

Amber Barnett, 916-263-1398  
[amber.barnett@jud.ca.gov](mailto:amber.barnett@jud.ca.gov)

Recommended by

Executive and Planning Committee  
Hon. Brad R. Hill, Chair

---

### Executive Summary

The Executive and Planning Committee recommends amending 12 rules of court to change the name of the Center for Judicial Education and Research Advisory Committee to the Center for Judicial Education and Resources Advisory Committee and make other technical amendments. The revised name adopts the recent name change of the Judicial Council's education office and more accurately reflects the work of the committee.

### Recommendation

The Executive and Planning Committee recommends that the Judicial Council, effective July 1, 2025:

1. Amend rule 10.50 of the California Rules of Court to change the name of the Center for Judicial Education and Research Advisory Committee to the Center for Judicial Education and Resources Advisory Committee; remove the reference to the position of Administrative Director as an advisory member of the committee in subdivision (d); add vacancies for the B. E. Witkin Judicial College Steering Committee to the advisory bodies that are appointed

under the procedures provided in rule 10.32 in subdivision (e); and delete subdivision (f) related to the Chief Justice’s authority to appoint the chair and vice-chair of the committee; and

2. Amend rules 10.40, 10.52, 10.55, 10.56, 10.60, 10.461, 10.462, 10.468, 10.469, 10.473, and 10.481 of the California Rules of Court to reflect the advisory committee’s name change.

The proposed amended rules are attached at pages 4–10.

### **Relevant Previous Council Action**

The Judicial Council last amended rule 10.50, effective January 1, 2019, to change the name of the Governing Committee of the Center for Judicial Education and Research to its current name, the Center for Judicial Education and Research (CJER) Advisory Committee. When that change was made, several references to the previous name were inadvertently left in other rules.

### **Analysis/Rationale**

The name change from “Center for Judicial Education and Research Advisory Committee” (the committee’s current name) to “Center for Judicial Education and Resources Advisory Committee” more accurately reflects the work of the committee and aligns with a recent change to the name of the council’s education office (from “Center for Judicial Education and Research” to “Center for Judicial Education and Resources”). The proposal would also correct the committee’s name in five rules that still reference the “Governing Committee of the Center for Judicial Education and Research,” the former name of the committee.

In addition, the proposal makes three technical amendments. First, the proposal eliminates the reference in rule 10.50(d)(3) to the Administrative Director as an advisory member of the committee. This provision is duplicative. Under rule 10.30(f), “[t]he Administrative Director sits as an ex officio member of each advisory body.” The Administrative Director is listed as an advisory member only in the rule governing the CJER Advisory Committee. Removing this provision is consistent with the Administrative Director’s role in relation to all other advisory bodies and does not impact the Administrative Director’s status as an ex officio member of the committee.

Second, the proposal adds in rule 10.50(e) the B. E. Witkin Judicial College Steering Committee to conform to the current practice of filling vacancies according to the procedures in rule 10.32. This change solidifies the procedure for filling vacancies on the B. E. Witkin Judicial College Steering Committee consistent with the way vacancies on other advisory bodies are filled.

Lastly, the proposal eliminates rule 10.50(f) related to the Chief Justice’s authority to appoint the chair and vice-chair of the committee. This subdivision is duplicative of the Chief Justice’s appointment authority governed by rule 10.31(c).

### **Policy implications**

None.

**Comments**

Public comments were not solicited for this proposal because the recommendations are within the Judicial Council's purview to approve without circulation.

**Alternatives considered**

None.

**Fiscal and Operational Impacts**

This proposal will result in no fiscal or operational costs to the courts or the Judicial Council.

**Attachments and Links**

1. Cal. Rules of Court, rules 10.40, 10.50, 10.52, 10.55, 10.56, 10.60, 10.461, 10.462, 10.468, 10.469, 10.473 and 10.481, at pages 4–10

DRAFT

Rules 10.40, 10.50, 10.52, 10.55, 10.56, 10.60, 10.461, 10.462, 10.468, 10.469, 10.473, and 10.481 of the California Rules of Court are amended, effective July 1, 2025, to read:

1 **Rule 10.40. Appellate Advisory Committee**

2  
3 (a) \*\*\*

4  
5 (b) **Additional duty**

6  
7 In addition to the duties described in rule 10.34 the committee makes proposals on  
8 training for justices and appellate support staff to the ~~Governing Committee of the~~  
9 Center for Judicial Education and ~~Research~~ Resources Advisory Committee.

10  
11 (c) \*\*\*

12  
13  
14 **Rule 10.50. Center for Judicial Education and ~~Research~~ Resources Advisory**  
15 **Committee**

16  
17 (a) **Establishment and purpose**

18  
19 In 1973, the Judicial Council of California and the California Judges Association  
20 created the Center for Judicial Education and Research (CJER). The oversight body  
21 then known as the Governing Committee of CJER was made an advisory  
22 committee to the council in 1993 through the adoption of former rule 1029. In  
23 2001, the rule that specifies the duties of that advisory committee was made  
24 consistent with the rules pertaining to other Judicial Council advisory committees.  
25 In 2025, the advisory committee's name was changed to the Center for Judicial  
26 Education and Resources Advisory Committee to more accurately reflect the work  
27 of the committee.

28  
29 (b) \*\*\*

30  
31 (c) **Additional duties**

32  
33 In addition to the duties described in rule 10.34, the committee must:

34  
35 (1)–(5) \*\*\*

36  
37 (6) Identify the need for and recommend the appointment of ~~education~~  
38 curriculum committees to implement the priorities, long-range plan, and  
39 programs and products of judicial branch education; create and adopt  
40 procedures for their operation; and review and approve their projects and  
41 products;

42  
43 (7)–(9) \*\*\*

1  
2 **(d) Membership**

3  
4 The committee consists of at least the following members:

- 5  
6 (1) Eleven sitting judicial officers, including at least one appellate court justice  
7 and one immediate past presiding judge;  
8  
9 (2) Three judicial administrators, including a supervisor or manager from a trial  
10 or appellate court;  
11  
12 ~~(3) The Administrative Director as an advisory member;~~  
13  
14 ~~(4)~~(3)The president of the California Judges Association or ~~his or her~~ the president's  
15 designee as an advisory member; and  
16  
17 ~~(5)~~(4)Other advisory members as the Chief Justice may appoint.

18  
19 **(e) Nominations**

20  
21 Nominations for vacant positions on the CJER Advisory Committee, ~~its education~~  
22 curriculum committees, and the B. E. Witkin Judicial College Steering Committee  
23 will be solicited under the procedures described in rule 10.32. The president of the  
24 California Judges Association may submit nominations to the Executive and  
25 Planning Committee.  
26

27 ~~**(f) Chair and vice chair**~~

28  
29 ~~The Chief Justice appoints the chair and vice chair. The committee may make~~  
30 ~~recommendations to the Chief Justice for these two positions.~~  
31  
32

33 **Rule 10.52. Administrative Presiding Justices Advisory Committee**

34  
35 **(a) \*\*\***

36  
37 **(b) Additional duties**

38  
39 In addition to the duties described in rule 10.34, the committee must:

- 40  
41 (1)–(2) \*\*\*  
42



1 (3) Make proposals on training for justices and appellate support staff to the  
2 ~~Governing Committee of the Center for Judicial Education and Research~~  
3 Resources Advisory Committee; and  
4

5 (4) \*\*\*  
6

7 (c)–(f) \*\*\*  
8  
9

10 **Rule 10.55. Advisory Committee on Providing Access and Fairness**  
11

12 (a) \*\*\*  
13

14 (b) **Additional duties**  
15

16 In addition to the duties described in rule 10.34, the committee must recommend to  
17 the ~~Governing Committee of the Center for Judicial Education and Research~~  
18 Resources Advisory Committee, proposals for the education and training of judicial  
19 officers and court staff.  
20

21 (c)–(d) \*\*\*  
22  
23

24 **Rule 10.56. Collaborative Justice Courts Advisory Committee**  
25

26 (a) \*\*\*  
27

28 (b) **Additional duties**  
29

30 In addition to the duties described in rule 10.34, the committee must:  
31

32 (1)–(3) \*\*\*  
33

34 (4) Recommend to the Center for Judicial Education and ~~Research~~ Resources  
35 Advisory Committee minimum judicial education standards on collaborative  
36 programs, and educational activities to support those standards;  
37

38 (5)–(7) \*\*\*  
39

40 (c) \*\*\*  
41  
42

1 **Rule 10.60. Tribal Court–State Court Forum**

2  
3 (a) \*\*\*

4  
5 (b) **Additional duties**

6  
7 In addition to the duties described in rule 10.34, the forum must:

8  
9 (1)–(4) \*\*\*

10  
11 (5) Make proposals to the ~~Governing Committee of the~~ Center for Judicial  
12 Education and ~~Research~~ Resources Advisory Committee on educational  
13 publications and programming for judges and judicial support staff.

14  
15 (c) **Membership**

16  
17 The forum must include the following members:

18  
19 (1)–(3) \*\*\*

20  
21 (4) At least one member from each of the following committees: the Access and  
22 Fairness Advisory Committee, Civil and Small Claims Advisory Committee,  
23 Criminal Law Advisory Committee, Family and Juvenile Law Advisory  
24 Committee, ~~Governing Committee of the~~ Center for Judicial Education and  
25 ~~Research~~ Resources Advisory Committee, Probate and Mental Health  
26 Advisory Committee, and Traffic Advisory Committee; and

27  
28 (5) \*\*\*

29  
30 (d)–(e) \*\*\*

31  
32  
33 **Rule 10.461. Minimum education requirements for Supreme Court and Court of  
34 Appeal justices**

35  
36 (a) \*\*\*

37  
38 (b) **Content-based requirement**

39  
40 Each new Court of Appeal justice, within two years of confirmation of  
41 appointment, must attend a new appellate justice orientation program sponsored by  
42 a national provider of appellate orientation programs or by the Judicial Council’s  
43 Center for Judicial Education and ~~Research~~ Resources.

1  
2 (c)–(e) \*\*\*

3  
4 **Advisory Committee Comment**

5  
6 The requirements formerly contained in subdivision (e)(2) of rule 970, which has been repealed,  
7 are carried forward without change in rule 10.461(b).

8  
9 Judicial Council staff have developed an individual reporting form that justices may use in  
10 tracking their own participation in education as required by rule 10.461(e)(1). The form is  
11 available from the council’s Center for Judicial Education and ~~Research~~ Resources. The Chief  
12 Justice and the administrative presiding justices may determine which form should be used in  
13 their court and may provide the council-developed form or another appropriate form developed by  
14 their court or by another court.

15  
16  
17 **Rule 10.462. Minimum education requirements and expectations for trial court**  
18 **judges and subordinate judicial officers**

19  
20 (a)–(b) \*\*\*

21  
22 (c) **Content-based requirements**

- 23  
24 (1) New trial court judges and subordinate judicial officers must complete the  
25 “new judge education” curriculum provided by the Judicial Council’s Center  
26 for Judicial Education and ~~Research~~ Resources (CJER) as follows:

27  
28 (A)–(C) \*\*\*

29  
30 (2)–(4) \*\*\*

31  
32 (d)–(g) \*\*\*

33  
34 **Advisory Committee Comment**

35  
36 The minimum judicial education requirements in rule 10.462 do not apply to retired judges  
37 seeking to sit on regular court assignment in the Temporary Assigned Judges Program. Retired  
38 judges who seek to serve in the Temporary Assigned Judges Program must comply with the  
39 education requirements included in the program’s standards and guidelines established by the  
40 Chief Justice.

41  
42 Judicial Council staff have developed an individual reporting form that judges may use in  
43 tracking their own participation in education as required by rule 10.462(f). The form is available

1 from the council’s Center for Judicial Education and ~~Research~~ Resources. Presiding judges may  
2 determine which form should be used in their court and may provide the council-developed form  
3 or another appropriate form developed by their court or by another court.  
4  
5

6 **Rule 10.468. Content-based and hours-based education for superior court judges**  
7 **and subordinate judicial officers regularly assigned to hear probate**  
8 **proceedings**  
9

10 (a) \*\*\*

11  
12 (b) **Content-based requirements**

13  
14 (1)–(2) \*\*\*

15  
16 (3) The education required in (1) must be provided by the Center for Judicial  
17 Education and ~~Research~~ Resources (CJER), an approved provider under rule  
18 10.481(a), or education approved by the judicial officer’s presiding judge as  
19 meeting the education criteria specified in rule 10.481(b).  
20

21 (4) \*\*\*

22  
23 (c)–(e) \*\*\*  
24  
25

26 **Rule 10.469. Education recommendations for justices, judges, and subordinate**  
27 **judicial officers**  
28

29 (a)–(c) \*\*\*

30  
31 (d) **Capital case assignment**  
32

33 Judges assigned to hear a capital case should complete, before the commencement  
34 of the trial, a comprehensive education program on California law and procedure  
35 relevant to capital cases provided by the Center for Judicial Education and  
36 ~~Research~~ Resources (CJER). A judge with a subsequent assignment to a capital  
37 case should complete a periodic update course within two years before the  
38 commencement of the trial. The periodic update may be provided through actual  
39 classroom instruction or through any other media as determined by CJER.  
40  
41

42 **Rule 10.473. Minimum education requirements for trial court executive officers**  
43

1 (a) \*\*\*

2  
3 (b) **Content-based requirement**

4  
5 (1) New executive officers must complete the presiding judge and court  
6 executive officer orientation program provided by the Judicial Council’s  
7 Center for Judicial Education and ~~Research~~ Resources (CJER) within one  
8 year of becoming an executive officer and should participate in additional  
9 education during the first year.

10  
11 (2) \*\*\*

12  
13 (c)–(e) \*\*\*

14  
15  
16 **Rule 10.481. Approved providers; approved course criteria**

17  
18 (a) **Approved providers**

19  
20 The Judicial Council’s Center for Judicial Education and ~~Research~~ Resources  
21 (CJER) is responsible for maintaining a current list of approved providers. The list  
22 of approved providers must include the Judicial Council, the California Judges  
23 Association, and all California state courts. The list should also include other  
24 reputable national and state organizations that regularly offer education directed to  
25 justices, judges, and court personnel. The director of CJER may add or remove  
26 organizations from the list of approved providers as appropriate according to the  
27 criteria contained in (b). Any education program offered by any of the approved  
28 providers that is relevant to the work of the courts or enhances the participants’  
29 ability to perform their jobs may be applied toward the education requirements and  
30 expectations stated in rules 10.461–10.479, except for the requirements stated in  
31 the rules that require a specific provider or providers.

32  
33 (b) \*\*\*

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Circulate for comment (out of cycle)**

**Title of proposal:** Judicial Branch Administration: Rule and Standard for Use of Generative Artificial Intelligence in Court-Related Work

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Adopt Cal. Rules of Court, rule 10.430; adopt Cal. Standards of Judicial Administration, standard 10.80

*Committee or other entity submitting the proposal:*

Artificial Intelligence Task Force

*Staff contact (name, phone and email):* Jessica Devencenzi, (916) 263-1374, [jessica.devencenzi@jud.ca.gov](mailto:jessica.devencenzi@jud.ca.gov); Saskia Kim, (916) 643-6951, [saskia.kim@jud.ca.gov](mailto:saskia.kim@jud.ca.gov); Jenny Grantz, (415) 865-4394, [jenny.grantz@jud.ca.gov](mailto:jenny.grantz@jud.ca.gov)

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): N/A

Project description from annual agenda: The AI Task Force is not required to have an annual agenda. However, the task force is charged with "overseeing the development of policy recommendations to the council on the use of artificial intelligence (AI) in the judicial branch, with a particular emphasis on generative AI," and it "may also develop its own proposals."

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

This proposal is being made out of cycle with a September 1, 2025, effective date because the rule and standard in this proposal are needed to respond to the rapid, ongoing development of generative AI technologies.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)  
This report or invitation to comment was:  
 reviewed by EGG on (date) 2/4/2025  
 approved by Office Director (or Designee) (name) Jessica Devencenzi on (date) 2/5/2025; Michael Giden on 2/11/2025  
*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)  
This proposal:  
 includes forms that have been translated.  
 includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)  
 includes forms that staff will request be translated.
- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov/policyadmin-invitationstocomment.htm](http://www.courts.ca.gov/policyadmin-invitationstocomment.htm)

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## INVITATION TO COMMENT

**SP25-01**

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Title	Action Requested
Judicial Branch Administration: Rule and Standard for Use of Generative Artificial Intelligence in Court-Related Work	Review and submit comments by April 17, 2025
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Adopt Cal. Rules of Court, rule 10.430; adopt Cal. Standards of Judicial Administration, standard 10.80	September 1, 2025
Proposed by	Contact
Artificial Intelligence Task Force	Jessica Devencenzi, 916-263-1374, <a href="mailto:jessica.devencenzi@jud.ca.gov">jessica.devencenzi@jud.ca.gov</a>
Hon. Brad R. Hill, Chair	Saskia Kim, 916-643-6951, <a href="mailto:saskia.kim@jud.ca.gov">saskia.kim@jud.ca.gov</a>
	Jenny Grantz, 415-865-4394, <a href="mailto:jenny.grantz@jud.ca.gov">jenny.grantz@jud.ca.gov</a>

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### Executive Summary and Origin

The Artificial Intelligence Task Force proposes adopting one rule and one standard to address the use of generative artificial intelligence for court-related work. The task force developed this proposal as part of its charge from the Chief Justice to oversee the development of policy recommendations on the use of artificial intelligence in the judicial branch.

### Background

Generative artificial intelligence (generative AI) is an emerging technology that can generate content in many forms and languages and on almost any subject at a user's request. Generative AI has many potential benefits and appears to have particular promise for courts' management and administrative functions. Generative AI also poses significant risks, though many of these risks can be mitigated with careful training, oversight, and use. The Chief Justice created the Artificial Intelligence Task Force in May 2024 in response to growing interest in generative AI and public concern about the impact of the technology on the judicial branch. The task force is responsible for overseeing the development of policy recommendations on the use of AI in the judicial branch.

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*



The task force is working to address the benefits and risks of generative AI throughout California's judicial branch. Use of generative AI for court-related work is one of the task force's current areas of focus. At the February 2025 Judicial Council meeting, the task force announced the *Model Policy for Use of Generative Artificial Intelligence* (model policy) (see Attachment A), which is offered as a resource for courts wishing to permit the use of generative AI for court-related work. The model policy addresses the confidentiality, privacy, bias, safety, and security risks posed by generative AI systems and addresses supervision, accountability, transparency, and compliance when using those systems. Courts can adopt the model policy as written or add, modify, or delete provisions as needed to address specific goals or operational requirements.

The model policy does not require Judicial Council approval and is not part of this proposal, but the task force welcomes comments on the model policy, particularly from courts. The task force asks for specific comments from courts on whether the model policy should address additional issues and whether there are additional guidance documents that would aid courts in developing or applying a generative AI use policy.

## **The Proposal**

The task force proposes adopting a rule of court and a standard of judicial administration to address the confidentiality, privacy, bias, safety, and security risks posed by use of generative AI in court-related work. Generative AI is a tool that can be used to assist judicial officers and court staff to fairly administer justice, and this proposal aims to promote responsible innovation in court operations while protecting confidential information, ensuring appropriate oversight, and maintaining public trust.

### **Rule 10.430**

Under rule 10.430, if a superior court, Court of Appeal, or the Supreme Court permits the use of generative AI for court-related work, that court must adopt a policy that applies to the use of generative AI by court staff for any purpose, and by judicial officers for any task outside their adjudicative role.<sup>1</sup> As discussed below, standard 10.80 covers the use of generative AI by judicial officers for tasks within their adjudicative role.

Policies adopted under rule 10.430 must:

- Prohibit the entry of confidential, personal identifying, or other nonpublic information into a public generative AI system, meaning any system that is publicly available or that allows information submitted by users to be accessed by anyone other than judicial officers or court staff;

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<sup>1</sup> Use of generative AI by Judicial Council staff will be covered by a separate policy, which is currently being developed by the Judicial Council Information Technology office.

- Prohibit the use of generative AI to unlawfully discriminate against or disparately impact individuals or communities based on membership in certain groups, including any classification protected by federal or state law;
- Require court staff and judicial officers who generate or use generative AI material to review the material for accuracy and completeness, and for potentially erroneous, incomplete, or hallucinated output;
- Require court staff and judicial officers who generate or use generative AI material to review the material for biased, offensive, or harmful output;
- Require disclosure of the use or reliance on generative AI if generative AI outputs constitute a substantial portion of the content used in the final version of a written or visual work provided to the public; and
- Require compliance with all applicable laws, court policies, and ethical and professional conduct rules, codes, and policies when using generative AI.

Courts can comply with rule 10.430 by adopting the model policy or a policy that is substantially similar to the model policy. The provisions marked “optional” in the model policy are not needed to comply with rule 10.430.

The task force considered several alternatives when drafting rule 10.430. First, the task force considered having the rule apply directly to court use of generative AI, rather than requiring courts to implement policies meeting the rule’s requirements. Second, the task force considered requiring courts to adopt the model policy instead of giving courts the option to adopt their own policy. Third, the task force considered making the rule more expansive to include the model policy’s optional provisions.

The task force ultimately decided that the proposed version of rule 10.430 is preferable because it gives each court that permits the use of generative AI the flexibility to write a policy that will meet the court’s specific goals and operational requirements while ensuring that all court policies address the major risks of generative AI. As discussed in the Advisory Committee Comment to subdivision (d), courts can comply with the rule by adopting a use policy that contains language substantially similar, but not identical, to subdivision (d). Courts can also adopt policies that are more restrictive than rule 10.430 or that have additional provisions not covered by the rule.

The task force also concluded that it will be beneficial to use the model policy to illustrate and expand on the rule’s requirements, rather than relying solely on a rule of court to set the parameters for court use of generative AI. The model policy can provide background, suggestions, examples, and other material that would not be suitable for a rule of court. The model policy can also be revised more quickly to respond to changes in generative AI technology and its uses.

### **Standard 10.80**

Standard 10.80 covers the use of generative AI by judicial officers for tasks within their adjudicative role, and its provisions are similar to those in rule 10.430. The standard states that judicial officers:

- Should not enter confidential, personal identifying, or other nonpublic information into a public generative AI system;
- Should not use generative AI to unlawfully discriminate against or disparately impact individuals or communities based on membership in certain groups, including any classification protected by federal or state law;
- Should review generative AI material, including any materials prepared on their behalf by others, for accuracy and completeness, and for potentially erroneous, incomplete, or hallucinated output;
- Should review generative AI material, including any materials prepared on their behalf by others, for biased, offensive, or harmful output; and
- Should consider whether to disclose the use of generative AI if it is used to create content provided to the public.

Additionally, the Advisory Committee Comment to subdivision (b) reminds judicial officers to comply with applicable laws, court policies, and the Code of Judicial Ethics when using generative AI.<sup>2</sup>

The task force considered having rule 10.430 cover the use of generative AI by judicial officers for any purpose but determined that a standard of judicial administration would be more appropriate for addressing the use of generative AI for tasks within a judicial officer's adjudicative role. The standard identifies the major risks of generative AI and allows judicial officers to determine the best way to address those risks in their adjudicative work.

### **Alternatives Considered**

The task force considered taking no action but ultimately determined that the proposal was warranted because it will help create uniformity throughout the branch in the use of generative AI for court-related work. As discussed in the explanation of the proposal, the task force considered several alternatives when drafting the proposed rule and standard and concluded that the current proposal strikes the best balance between addressing the major risks of generative AI and giving courts the flexibility to address those risks in a way that will meet their specific goals and operational requirements.

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<sup>2</sup> In particular, the task force anticipates likely future developments in ethical guidance relating to judicial officers' use of generative AI in their adjudicative work.

## Fiscal and Operational Impacts

Adopting rule 10.430 will require any court that permits the use of generative AI for court-related work to adopt a generative AI use policy, which in turn might require training for judicial officers and court staff. Adopting standard 10.80 might also require training for judicial officers. The rule and standard in this proposal do not require courts to permit use of generative AI and therefore do not require courts to incur costs related to the purchase or use of generative AI tools.

### Request for Specific Comments

In addition to comments on the proposal as a whole, the task force is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The task force also seeks comments from *courts* on the following cost and implementation matters as they relate to the proposal's requirement that courts adopt generative AI use policies if they permit use of generative AI for court-related work:

- Are there any additional issues that your court would like the task force to address in the *Model Policy for Use of Generative Artificial Intelligence*?
- The AI Task Force is planning to release guidance documents such as “Frequently Asked Questions About Generative AI” and “Examples of How Generative AI Can Be Used for Court-Related Work” to aid courts in developing and deploying generative AI use policies. Are there any particular issues that your court would like the task force to address in those documents?
- Would the proposal—to adopt a rule of court requiring courts to adopt generative AI use policies if they permit use of generative AI for court-related work, and to adopt a standard of judicial administration governing use of generative AI by judicial officers for tasks within their adjudicative role—result in costs? If so, please quantify.
- What would the implementation requirements of the proposal be for courts that are required to adopt a use policy because they permit use of generative AI for court-related work, and for judicial officers who must follow the standard—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

## Attachments

1. Cal. Rules of Court, rule 10.430, at pages 6–8
2. Cal. Standards of Judicial Administration, standard 10.80, at pages 9–10
3. Attachment A: *Model Policy for Use of Generative Artificial Intelligence*

Rule 10.430 of the California Rules of Court would be adopted, effective September 1, 2025, to read:

1 **Title 10. Judicial Administration Rules**

2  
3 **Division 2. Administration of the Judicial Branch**

4  
5 **Chapter 6. Court Technology, Information, and Automation**

6  
7  
8 **Rule 10.430. Generative artificial intelligence use policies**

9  
10 **(a) Definitions**

11  
12 As used in this rule, the following definitions apply:

- 13  
14 (1) “Artificial intelligence” or “AI” means technology that enables computers  
15 and machines to reason, learn, and act in a way that would typically require  
16 human intelligence.
- 17  
18 (2) “Court staff” means all employees, contractors, volunteers, and any other  
19 persons working for or on behalf of the court.
- 20  
21 (3) “Generative AI” means artificial intelligence trained on an existing set of  
22 data (which can include text, images, audio, or video) with the intent to  
23 “generate” new data objects when prompted by a user. Generative AI creates  
24 new data objects contextually in response to user prompts based only on the  
25 data it has already been trained on.
- 26  
27 (4) “Judicial officer” means all judges, all justices of the Courts of Appeal and  
28 the Supreme Court, all temporary and assigned judges, and all subordinate  
29 judicial officers.
- 30  
31 (5) “Public AI system” means a system that is publicly available or that allows  
32 information submitted by users to be accessed by anyone other than judicial  
33 officers or court staff, including access for the purpose of training or  
34 improving the system.

35  
36 **(b) Generative AI use policies**

37  
38 If a superior court, Court of Appeal, or the Supreme Court permits the use of  
39 generative AI by court staff or judicial officers, that court must adopt a generative  
40 AI use policy.

Rule 10.430 of the California Rules of Court would be adopted, effective September 1, 2025, to read:

1  
2 **(c) Policy scope**  
3

4 A use policy created to comply with this rule must cover the use of generative AI  
5 by court staff for any purpose, and by judicial officers for any task outside their  
6 adjudicative role.

7  
8 **(d) Policy requirements**  
9

10 Each court’s generative AI use policy must:

- 11
- 12 (1) Prohibit the entry of confidential, personal identifying, or other nonpublic  
13 information into a public generative AI system. Personal identifying  
14 information includes driver license numbers; dates of birth; social security  
15 numbers; Criminal Identification and Information, and National Crime  
16 Information numbers; addresses and phone numbers of parties, victims,  
17 witnesses, and court personnel; medical or psychiatric information; financial  
18 information; account numbers; and any other content sealed by court order or  
19 deemed confidential by court rule or statute.
- 20
- 21 (2) Prohibit the use of generative AI to unlawfully discriminate against or  
22 disparately impact individuals or communities based on age, ancestry, color,  
23 ethnicity, gender, gender expression, gender identity, genetic information,  
24 marital status, medical condition, military or veteran status, national origin,  
25 physical or mental disability, political affiliation, race, religion, sex, sexual  
26 orientation, socioeconomic status, and any other classification protected by  
27 federal or state law.
- 28
- 29 (3) Require court staff and judicial officers who generate or use generative AI  
30 material to review the material for accuracy and completeness, and for  
31 potentially erroneous, incomplete, or hallucinated output.
- 32
- 33 (4) Require court staff and judicial officers who generate or use generative AI  
34 material to review the material for biased, offensive, or harmful output.
- 35
- 36 (5) Require disclosure of the use or reliance on generative AI if generative AI  
37 outputs constitute a substantial portion of the content used in the final version  
38 of a written or visual work provided to the public.
- 39
- 40 (6) Require compliance with all applicable laws, court policies, and ethical and  
41 professional conduct rules, codes, and policies when using generative AI.  
42

Rule 10.430 of the California Rules of Court would be adopted, effective September 1, 2025, to read:

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**Advisory Committee Comment**

**Subdivision (a).** The definition of “court staff” in this subdivision is intended for use in this rule only.

**Subdivision (c).** California Standards of Judicial Administration, standard 10.80 covers the use of generative AI by judicial officers for any task within their adjudicative role.

**Subdivision (d).** This subdivision does not require any court to permit the use of generative AI by court staff or judicial officers. Courts may entirely prohibit the use of generative AI and may also set restrictions on how generative AI may be used for court-related work, such as allowing or prohibiting the use of specific generative AI tools, allowing use of generative AI only for particular tasks, or requiring approval for the use of generative AI. Courts that permit the use of generative AI for court-related work can comply with subdivision (d) by adopting the nonoptional sections of the *Model Policy for Use of Generative Artificial Intelligence* verbatim, or by adopting a policy that uses substantially similar language. Courts adopting a generative AI use policy under this rule may make their policy more restrictive than the rule requires and may include provisions not covered by rule 10.430.

Standard 10.80 of the Standards of Judicial Administration would be adopted, effective September 1, 2025, to read:

1 **Title 10. Standards for Judicial Administration**

2  
3 **Standard 10.80. Use of generative artificial intelligence by judicial officers**

4  
5 **(a) Definitions**

6  
7 As used in this standard, the following definitions apply:

- 8
- 9 (1) “Artificial intelligence” or “AI” means technology that enables computers and machines to reason, learn, and act in a way that would typically require human intelligence.
- 10
- 11
- 12
- 13 (2) “Court staff” means all employees, contractors, volunteers, and any other persons working for or on behalf of the court.
- 14
- 15
- 16 (3) “Generative AI” means artificial intelligence trained on an existing set of data (which can include text, images, audio, or video) with the intent to “generate” new data objects when prompted by a user. Generative AI creates new data objects contextually in response to user prompts based only on the data it has already been trained on.
- 17
- 18
- 19
- 20
- 21
- 22 (4) “Judicial officer” means all judges, all justices of the Courts of Appeal and the Supreme Court, all temporary and assigned judges, and all subordinate judicial officers.
- 23
- 24
- 25
- 26 (5) “Public AI system” means a system that is publicly available or that allows information submitted by users to be accessed by anyone other than judicial officers or court staff, including access for the purpose of training or improving the system.
- 27
- 28
- 29
- 30

31 **(b) Use of generative artificial intelligence**

32  
33 A judicial officer using generative AI for any task within their adjudicative role:

- 34
- 35 (1) Should not enter confidential, personal identifying, or other nonpublic information into a public generative AI system. Personal identifying information includes driver license numbers; dates of birth; social security numbers; Criminal Identification and Information, and National Crime Information numbers; addresses and phone numbers of parties, victims, witnesses, and court personnel; medical or psychiatric information; financial information; account numbers; and any other content sealed by court order or deemed confidential by court rule or statute.
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Standard 10.80 of the Standards of Judicial Administration would be adopted, effective September 1, 2025, to read:

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- (2) Should not use generative AI to unlawfully discriminate against or disparately impact individuals or communities based on age, ancestry, color, ethnicity, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, physical or mental disability, political affiliation, race, religion, sex, sexual orientation, socioeconomic status, and any other classification protected by federal or state law.
- (3) Should review generative AI material, including any materials prepared on their behalf by others, for accuracy and completeness, and for potentially erroneous, incomplete, or hallucinated output.
- (4) Should review generative AI material, including any materials prepared on their behalf by others, for biased, offensive, or harmful output.
- (5) Should consider whether to disclose the use of generative AI if it is used to create content provided to the public.

**Advisory Committee Comment**

**Subdivision (a).** The definition of “court staff” in this subdivision is intended for use in this standard only.

**Subdivision (b).** This subdivision provides guidelines to judicial officers for the use of generative AI for tasks within their adjudicative role. California Rules of Court, rule 10.430 covers the use of generative AI by judicial officers for tasks outside their adjudicative role. In addition to the guidelines provided in this subdivision, judicial officers should be mindful of complying with all applicable laws, court policies, and the California Code of Judicial Ethics when using generative AI.

## Introduction

Generative artificial intelligence (generative AI) is an emerging technology that can generate content in many forms and languages and on almost any subject at a user's request. Generative AI has many potential benefits and appears to have particular promise for the courts' management and administrative functions. Generative AI also poses significant risks, though many of these risks can be mitigated with careful training, oversight, and use.

Generative AI is a tool that can be used to assist judicial officers and court staff to fairly administer justice. The Artificial Intelligence Task Force created this model policy to aid courts in promoting responsible innovation in court operations while protecting confidential information, ensuring appropriate oversight, and maintaining public trust.

This model policy is a template for a use policy addressing the confidentiality, privacy, bias, safety, and security risks posed by generative AI systems, and addressing supervision, accountability, transparency, and compliance when using those systems. Courts can adopt this policy as written or add, modify, or delete provisions as needed to address specific goals or operational requirements. For example, a court wishing to address the confidentiality risks posed by generative AI could adopt only section III.a but not III.b–d, could adopt III.a and a modified version of III.b, and so on.

Some provisions in this model policy contain bracketed language providing alternatives and additional issues for consideration.

The model policy does not require any court to permit the use of generative AI by court staff or judicial officers. Courts can prohibit the use of generative AI if they wish and can also set restrictions on how generative AI can be used for court-related work, such as allowing or prohibiting the use of specific generative AI tools, allowing use of generative AI only for particular tasks, requiring approval for the use of generative AI, and so on.

**This model policy is offered as a resource. Courts are not required to adopt this policy.**

However, the Artificial Intelligence Task Force plans to propose California Rules of Court, rule 10.430, which will require courts that permit the use of generative AI in court-related work to adopt a use policy that meets certain requirements. The task force anticipates that adopting either this model policy as written or a policy that uses substantially similar language will satisfy rule 10.430, though the rule may change as the proposal is developed. The task force also anticipates that the provisions in boxes marked "optional" will *not* be needed to comply with rule 10.430. The task force plans to seek approval of the rule at the Judicial Council's July 2025 meeting, and the proposed effective date will be September 1, 2025.

The Artificial Intelligence Task Force is also preparing documents to aid courts in developing and deploying generative AI use policies. These documents will include things like frequently asked questions, examples of how generative AI can be used in court administration, and examples of how to disclose or watermark generative AI material.

## **Model Policy for Use of Generative Artificial Intelligence**

### **I. Purpose and Scope**

The emergence of generative artificial intelligence (generative AI) technologies has prompted the court to develop a set of requirements for use of generative AI by court staff.

- a. These requirements are designed to govern the use of generative AI systems in court-related work. Generative AI systems include applications such as OpenAI's ChatGPT, Anthropic's Claude, Dall-E2, Microsoft's Copilot, Google's Gemini, Westlaw Precision, Lexis+ AI, and Grammarly. Generative AI features are also included in non-AI applications such as Adobe Acrobat or Google search. Information can be submitted to a generative AI system by typing a prompt into a chat interface, uploading a document or image, and other methods.
- b. This policy applies to the use of generative AI for any purpose by court staff, and by judicial officers for any task outside their adjudicative role.

### **II. Definitions**

For purposes of this policy only, the following definitions apply:

- a. "Artificial intelligence" or "AI" means technology that enables computers and machines to reason, learn, and act in a way that would typically require human intelligence.
- b. "Court staff" means all employees, contractors, volunteers, and any other persons working for or on behalf of the court.
- c. "Generative AI" means artificial intelligence trained on an existing set of data (which can include text, images, audio, or video) with the intent to "generate" new data objects when prompted by a user. Generative AI creates new data objects contextually in response to user prompts based only on the data it has already been trained on.
- d. "Judicial officer" means all judges, all justices of the Courts of Appeal and the Supreme Court, all temporary and assigned judges, and all subordinate judicial officers.
- e. "Public generative AI system" means a system that is publicly available or that allows information submitted by users to be accessed by anyone outside the court, including access for the purpose of training or improving the system.
- f. "User" means any person to whom this policy applies.

### III. Confidentiality and Privacy

- a. Users must not submit confidential, personal identifying, or other nonpublic information to a public generative AI system. Personal identifying information includes driver license numbers; dates of birth; social security numbers; Criminal Identification and Information, and National Crime Information numbers; addresses and phone numbers of parties, victims, witnesses, and court personnel; medical or psychiatric information; financial information; account numbers; and any other content sealed by court order or deemed confidential by court rule or statute.

***Optional paragraphs (one or more of the following):***

- b. If a document has been filed or submitted for filing in a case before the court, users must not submit it to a public generative AI system, even if the document is publicly available.
- c. Before submitting any information to a public generative AI system, the user must determine whether the submission is permissible under this policy. If it is unclear whether the submission is permissible, the user must obtain approval from [court leadership/their supervisor] before submitting the information to the system. [Courts adopting this provision should consider how to define “court leadership” if approval is to be given by the presiding judge, clerk/executive officer, court executive officer, or chief information officer, or other member of court leadership. Courts requiring approval by court leadership should also consider whether to include a provision allowing leadership to delegate approval authority to others.]
- d. When using public generative AI systems, users must disable or opt out of data collection by the system if possible.

### IV. Supervision and Accountability

- a. Generative AI systems sometimes “hallucinate,” meaning they provide false or misleading information presented as fact. Generative AI outputs can also be faulty in other ways, such as outputs that are inaccurate, incomplete, or uncited. Users must review their generative AI material for accuracy and completeness, and for potentially erroneous, incomplete, or hallucinated output. Any use of generative AI outputs is ultimately the responsibility of the person who authorizes or uses it.

***Optional paragraphs (one or more of the following):***

- b. Users must obtain approval from [*specify which office, department, division, or individual will be responsible for approval*] before using a public generative AI system.
- c. Public generative AI systems may be used only if they have been approved by the court [*specify which office, department, division, or individual will be responsible for approval*].

**V. Avoidance of Bias and Discrimination**

- a. Generative AI must not be used to unlawfully discriminate against or disparately impact individuals or communities based on age, ancestry, color, ethnicity, gender, gender expression, gender identity, genetic information, marital status, medical condition, military or veteran status, national origin, physical or mental disability, political affiliation, race, religion, sex, sexual orientation, socioeconomic status, and any other classification protected by federal or state law.
- b. Generative AI systems may be trained on material that reflects cultural, economic, racial, gender, and social biases, and content generated by these systems may contain biased or otherwise offensive or harmful material. Users must review their generative AI material for biased, offensive, or harmful output.

**VI. Transparency**

- a. If generative AI outputs constitute a substantial portion of the content used in the final version of a written work or visual work that is provided to the public, the work must contain a disclaimer or watermark.
- b. Labels or watermarks used to disclose the use of generative AI should be easily visible and understandable, accurately informing the audience that generative AI has been used in the creation of the content and identifying the system used to generate it.

## VII. Compliance with Applicable Laws and Policies

- a. When using generative AI, users must comply with all applicable laws, court policies, and ethical and professional conduct rules, codes, and policies.

***Optional paragraph:***

- b. Users should be aware that content produced by generative AI systems might include copyrighted material. If it is unclear whether the content produced includes copyrighted material, the user must consult [*specify which office, department, division, or individual will be responsible for advice*].

***Optional section and paragraphs (one or more of the following):***

## VIII. Safety and Security

- a. Users must use strong passwords when using AI platforms. Users must comply with the court's password requirements when creating passwords for generative AI platforms.
- b. When using generative AI systems to perform court-related work, users must use their court email address if the system requires users to provide an email address or create an account. Accounts created using a court email address must not be used for personal matters. [*Courts should also consider whether to require staff to provide their supervisor or IT department with the username and password of any generative AI account created to do court-related work.*]
- c. When available and practical, court-provided generative AI systems should be used instead of public generative AI systems.

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:

**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Judicial Branch Technology: Rules for Adoption of Technology and Data Security Guidelines

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Adopt Cal. Rules of Court, rule 10.405; amend rule 10.172

*Committee or other entity submitting the proposal:*

Information Technology Advisory Committee, Court Executives Advisory Committee

*Staff contact (name, phone and email):* Jenny Grantz, 415-865-4394, jenny.grantz@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): February 5, 2024 (ITAC's annual agenda is approved by the Technology Committee, not the Rules Committee)

Project description from annual agenda: Item 9: Joint Information Security Governance Subcommittee Projects: Review and recommend policies and other security-related proposals for action by ITAC and the Court Executives Advisory Committee. Key objectives include reviewing and making recommendations on branchwide security policies.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

This proposal creates procedures for ITAC to recommend branchwide technology and data security guidelines for approval by the Judicial Council. Those procedures will allow the Judicial Council to adopt guidelines with input from courts. The procedures must be adopted before guidelines can be recommended. Putting this proposal on the Spring Cycle would therefore significantly delay approval of any guidelines.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) January 28, 2025

approved by Office Director (or Designee) (name) Michael Giden

on (date) February 14, 2025; John Lee and Laura Speed on February 19, 2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.





# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-073*

For business meeting on April 25, 2025

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Title

Judicial Branch Technology: Rules for Adoption of Technology and Data Security Guidelines

Rules, Forms, Standards, or Statutes Affected  
Adopt Cal. Rules of Court, rule 10.405;  
amend rule 10.172

Recommended by

Court Executives Advisory Committee  
Darrel Parker, Chair  
Information Technology Advisory  
Committee  
Hon. Sheila F. Hanson, Chair

Report Type

Action Required

Effective Date

July 1, 2025

Date of Report

February 19, 2025

Contact

Jenny Grantz, 415-865-4394  
[jenny.grantz@jud.ca.gov](mailto:jenny.grantz@jud.ca.gov)

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### Executive Summary

The Court Executives Advisory Committee (CEAC) and the Information Technology Advisory Committee (ITAC) recommend adopting one rule and amending one rule to create a process for adopting and revising technology and data security guidelines for the courts and the Judicial Council. This proposal originated with the Joint Information Security Governance Subcommittee, which reviews and recommends security-related guidelines, policies, and other proposals for action by ITAC and CEAC.

## **Recommendation**

The Court Executives Advisory Committee and the Information Technology Advisory Committee recommend that the Judicial Council, effective July 1, 2025:

1. Adopt California Rules of Court, rule 10.405 to create a process for adopting and revising technology and data security guidelines for the courts and the Judicial Council; and
2. Amend California Rules of Court, rule 10.172 to reflect the adoption of rule 10.405.

The proposed new rule and amended rule are attached at pages 6–10.

## **Relevant Previous Council Action**

The Judicial Council adopted rule 10.172 effective January 1, 2009, to implement Government Code section 69925, which requires each superior court to develop a court security plan and requires the Judicial Council to determine which subject areas must be addressed in those plans.

The council last amended rule 10.172 effective January 1, 2016, to remove references to the Administrative Office of the Courts.

## **Analysis/Rationale**

In 2023, CEAC and ITAC formed the Joint Information Security Governance Subcommittee (JISGS). JISGS develops cybersecurity and data protection initiatives on behalf of the judicial branch and reviews and makes recommendations on branchwide incident management, security training, and security policies. JISGS's goal is to vet and secure branchwide support for information security policies.

As a result of its work over the past year, JISGS concluded that it would be beneficial for the Judicial Council to adopt a process for developing and approving branchwide guidelines for technology and data security. The purpose of the guidelines will be to ensure a minimum level of information security across the branch and enable the branch to apply information security best practices more effectively. The proposed procedures for adopting the guidelines will give courts an opportunity to provide feedback while the guidelines are being developed, help ITAC identify potential implementation issues, and ensure that the guidelines will work for courts of all sizes and at all levels of information security experience and infrastructure.

To establish procedures for adopting and revising technology and data security guidelines for the courts and the council, the committees recommend adopting one rule and amending one rule.

### **Rule 10.405**

The committees recommend adopting new rule 10.405 to establish the process for adopting and revising technology and data security guidelines for the courts and the Judicial Council.

Subdivision (a) provides the rule's purpose, which is to set forth procedures for the adoption and maintenance of judicial branch guidelines for technology and data security.

Subdivision (b) describes the process for adopting and revising the guidelines. The committees recommend that ITAC develop the guidelines and make recommendations to the Judicial Council because ITAC’s membership includes judicial officers, court executives, court technologists, and other subject matter experts. Additionally, ITAC has extensive experience developing proposals to address technology issues affecting the courts.

Subdivision (b) also includes a 30-day period during which the courts can comment on proposed new or revised guidelines before ITAC makes a recommendation to the Judicial Council. The committees’ goal is to ensure that all courts are given sufficient notice and opportunity to provide input on the guidelines. The language in subdivision (b)(2) was modeled on rule 10.804(b)(1), which contains a similar comment process.<sup>1</sup> The rule provides the Technology Committee with the authority to approve nonsubstantive technical changes or corrections to the guidelines without Judicial Council approval and without the 30-day comment period. This provision is similar to provisions in other rules that allow for technical changes and corrections without council approval.<sup>2</sup>

Subdivision (c) provides that any guidelines adopted under rule 10.405 apply to the Supreme Court, the Courts of Appeal, the superior courts, and the Judicial Council.

Subdivision (d) provides that for security reasons, any guidelines adopted under rule 10.405 are presumptively exempt from public disclosure under rule 10.500.<sup>3</sup> This exemption is necessary because of the strong need to protect judicial branch security by limiting access to the guidelines, which clearly outweighs the public interest in disclosure of these records. Disclosure of the guidelines and any records relating to the guidelines, which may include specific methods used to secure judicial branch technology and data, would compromise the ability of the courts and the Judicial Council to protect their systems and data, as well as court users’ personal information.

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<sup>1</sup> Rule 10.804(b)(1) reads: “Before making any substantive amendments to the *Trial Court Financial Policies and Procedures Manual*, the Judicial Council must make the amendments available to the superior courts, the California Department of Finance, and the State Controller’s Office for 30 days for comment.”

<sup>2</sup> For example, rule 10.804(b)(2) allows the Administrative Director to make technical changes and corrections to the *Trial Court Financial Policies and Procedures Manual*.

<sup>3</sup> Rule 10.500(f)(6) exempts from disclosure any “[r]ecords whose disclosure would compromise the security of a judicial branch entity or the safety of judicial branch personnel, including but not limited to, court security plans, and security surveys, investigations, procedures, and assessments.” Rule 10.500(f)(6) and proposed rule 10.405(d) are consistent with the California Public Records Act’s exemption for information security records. (Gov. Code, § 7929.210.)

## **Rule 10.172**

Existing rule 10.172 requires each superior court to develop a court security plan that addresses numerous subject areas. The committees recommend moving the computer and data security subject area to new rule 10.405 by:

- Amending subdivision (b)(1) to remove subpart (V), “computer and data security,” because that topic will be covered by new rule 10.405; and
- Adding a sentence to the Advisory Committee Comment to inform readers that computer and data security are now covered by rule 10.405 instead of rule 10.172.<sup>4</sup>

Before this proposal was circulated for comment, it was reviewed by the Court Security Advisory Committee, which raised no objection to these proposed revisions to rule 10.172. A predecessor of the Court Security Advisory Committee originally recommended adoption of the rule.

The version of rule 10.172 that circulated for public comment included an amendment to subdivision (a) that changed “countywide court security plan” to “court security plan that applies to each court facility in the county.” The committees proposed this amendment to clarify the rule’s meaning and did not intend to change the scope of the rule. The committees ultimately decided not to make this amendment because it was unclear whether the amendment improved the rule’s clarity and because it could have created confusion about whether the rule’s scope had been changed.

## **Policy implications**

This proposal will create procedures for adopting guidelines for technology and data security for the courts and the Judicial Council. These guidelines will benefit the branch by ensuring a minimum level of information security across the branch and enabling the branch to apply information security best practices more effectively. The procedures in rule 10.405 will ensure that the guidelines are developed with the input of courts and will help ITAC develop guidelines that minimize implementation issues and address the needs of all courts.

This proposal is, therefore, consistent with the *Strategic Plan for California’s Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Branchwide Infrastructure for Service Excellence (Goal VI).

## **Comments**

This proposal was circulated for public comment from December 5, 2024, to January 6, 2025, as part of the regular winter invitation-to-comment cycle. One comment was received on the proposal, from the Superior Court of Los Angeles County. The commenter agreed with the

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<sup>4</sup> The committees also recommend correcting a typographical error in the heading of rule 10.172(d).

proposal if modified. A chart with the full text of the comment received and the committees' responses is attached at pages 11–12.

The commenter suggested that when guidelines are adopted under rule 10.405, general guidelines should be crafted to address minimum, entry-level requirements to ensure that the guidelines work for courts of all sizes. The commenter also noted that when guidelines are adopted, their substance and complexity will determine how quickly courts can implement them.

Additionally, the commenter suggested amending rule 10.405 to include a control, audit, or review mechanism to ensure that courts adhere to guidelines adopted under the rule. The committees agree that such a mechanism could be beneficial but have not amended the rule to include one because those amendments would go beyond the scope of the current proposal and would require public comment. The committees will consider this suggestion as time and resources permit.

### **Alternatives considered**

The committees considered the alternative of taking no action but ultimately determined that the proposal was warranted because creating a process for developing and approving technology and data security guidelines would provide significant benefits to the public, courts, and the Judicial Council.

In addition, as discussed above, the committees considered several alternatives when drafting and revising the rules, including alternatives suggested by the commenter.

### **Fiscal and Operational Impacts**

The guidelines adopted under rule 10.405 might require courts to implement or change their policies or procedures, which might require training for judicial officers and court staff. Courts might also need to procure equipment or services to meet the guidelines adopted under rule 10.405.

### **Attachments and Links**

1. Cal. Rules of Court, rules 10.172 and 10.405, at pages 6–10
2. Chart of comments, at pages 11–12

Rule 10.405 of the California Rules of Court is adopted and rule 10.172 is amended, effective July 1, 2025, to read:

1 **Rule 10.172. Court security plans**

2  
3 **(a) Responsibility**

4  
5 The presiding judge and the sheriff or marshal are responsible for developing an  
6 annual or multiyear comprehensive, countywide court security plan.  
7

8 **(b) Scope of security plan**

9  
10 (1) Each court security plan must, at a minimum, address the following general  
11 security subject areas:

12  
13 (A) Composition and role of court security committees;

14  
15 (B) Composition and role of executive team;

16  
17 (C) Incident command system;

18  
19 (D) Self-assessments and audits of court security;

20  
21 (E) Mail handling security;

22  
23 (F) Identification cards and access control;

24  
25 (G) Courthouse landscaping security plan;

26  
27 (H) Parking plan security;

28  
29 (I) Interior and exterior lighting plan security;

30  
31 (J) Intrusion and panic alarm systems;

32  
33 (K) Fire detection and equipment;

34  
35 (L) Emergency and auxiliary power;

36  
37 (M) Use of private security contractors;

38  
39 (N) Use of court attendants and employees;

40  
41 (O) Administrative/clerk's office security;

42

- 1 (P) Jury personnel and jury room security;  
2  
3 (Q) Security for public demonstrations;  
4  
5 (R) Vital records storage security;  
6  
7 (S) Evacuation planning;  
8  
9 (T) Security for after-hours operations;  
10  
11 (U) Custodial services;  
12  
13 ~~(V) Computer and data security;~~  
14  
15 ~~(W)~~ (V) Workplace violence prevention; and  
16  
17 ~~(X)~~ (W) Public access to court proceedings.  
18  
19 (2) Each court security plan must, at a minimum, address the following law  
20 enforcement subject areas:  
21  
22 (A) Security personnel and staffing;  
23  
24 (B) Perimeter and entry screening;  
25  
26 (C) Prisoner and inmate transport;  
27  
28 (D) Holding cells;  
29  
30 (E) Interior and public waiting area security;  
31  
32 (F) Courtroom security;  
33  
34 (G) Jury trial procedures;  
35  
36 (H) High-profile and high-risk trial security;  
37  
38 (I) Judicial protection;  
39  
40 (J) Incident reporting and recording;  
41  
42 (K) Security personnel training;  
43

- 1 (L) Courthouse security communication;
- 2
- 3 (M) Hostage, escape, lockdown, and active shooter procedures;
- 4
- 5 (N) Firearms policies and procedures; and
- 6
- 7 (O) Restraint of defendants.
- 8

9 (3) Each court security plan should address additional security issues as needed.

10

11 **(c) Court security assessment and assessment report**

12

13 At least once every two years, the presiding judge and the sheriff or marshal are  
14 responsible for conducting an assessment of security with respect to all court  
15 operations. The assessment must include a comprehensive review of the court’s  
16 physical security profile and security protocols and procedures. The assessment  
17 should identify security weaknesses, resource deficiencies, compliance with the  
18 court security plan, and any need for changes to the court security plan. The  
19 assessment must be summarized in a written assessment report.

20

21 **(d) Submission of court a security plan to the Judicial Council**

22

23 On or before November 1, 2009, each superior court must submit a court security  
24 plan to the Judicial Council. On or before February 1, 2011, and each succeeding  
25 February 1, each superior court must give notice to the Judicial Council whether it  
26 has made any changes to the court security plan and, if so, identify each change  
27 made and provide copies of the current court security plan and current assessment  
28 report. In preparing any submission, a court may request technical assistance from  
29 Judicial Council staff.

30

31 **(e) Plan review process**

32

33 Judicial Council staff will evaluate for completeness submissions identified in (d).  
34 Annually, the submissions and evaluations will be provided to the Court Security  
35 Advisory Committee. Any submissions determined by the advisory committee to  
36 be incomplete or deficient must be returned to the submitting court for correction  
37 and completion.

38

39 **(f) Delegation**

40

41 The presiding judge may delegate any of the specific duties listed in this rule to  
42 another judge or, if the duty does not require the exercise of judicial authority, to  
43 the court executive officer or other court employee. The presiding judge remains



1 responsible for all duties listed in this rule even if he or she has delegated particular  
2 tasks to someone else.

3  
4 **Advisory Committee Comment**

5  
6 This rule is adopted to comply with the mandate in Government Code section 69925, which  
7 requires the Judicial Council to provide for the areas to be addressed in a court security plan and  
8 to establish a process for the review of such plans.

9  
10 Computer and data security, formerly covered by subdivision (b)(1)(V), is now addressed in rule  
11 10.405, on judicial branch technology and data security guidelines.

12  
13  
14 **Rule 10.405. Judicial branch technology and data security guidelines**

15  
16 **(a) Purpose**

17  
18 This rule sets forth procedures for the adoption and maintenance of judicial branch  
19 guidelines for technology and data security.

20  
21 **(b) Adoption and maintenance of guidelines**

- 22  
23 (1) The Information Technology Advisory Committee is responsible for making  
24 recommendations to the Judicial Council regarding guidelines for technology  
25 and data security.
- 26  
27 (2) Before recommending to the Judicial Council the adoption of any new  
28 guidelines or substantive amendments to the guidelines, the Information  
29 Technology Advisory Committee must make the proposed guidelines  
30 available to the entities listed in subdivision (c) for 30 days for comment.
- 31  
32 (3) The Judicial Council delegates to the Technology Committee the authority to  
33 make nonsubstantive technical changes or corrections to the guidelines. Upon  
34 the recommendation of the Information Technology Advisory Committee, the  
35 Technology Committee may approve nonsubstantive technical changes or  
36 corrections to the guidelines without the comment period required in  
37 subdivision (b)(2) and without approval by the Judicial Council.

38  
39 **(c) Application of guidelines**

40  
41 The guidelines for technology and data security apply to the Supreme Court, the  
42 Courts of Appeal, the superior courts, and the Judicial Council.

1 **(d) Disclosure of guidelines**

2

3 The guidelines for technology and data security are exempt from public disclosure  
4 consistent with the provisions of rule 10.500 that exempt records whose disclosure  
5 would compromise the security of a judicial branch entity.

**W25-01****Judicial Branch Technology: Rules for Adoption of Technology and Data Security Guidelines** (Adopt Cal. Rules of Court, rule 10.405; amend rule 10.172)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Superior Court of California, County of Los Angeles by Robert Oftring, Director, Communications and Legislative Affairs	A	The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular judicial officer or employee.	No response required.
			In response to the Judicial Council of California's proposal titled "ITC W25-01: Judicial Branch Technology: Rules for Adoption of Technology and Data Security Guidelines," the Superior Court of California, County of Los Angeles (Court), concurs that the proposal addresses its intended purpose.	The committees appreciate the response.
			The Court agrees that it is appropriate to amend subdivision (a) of rule 10.172 to clarify its meaning.	The committees appreciate the response.
			The Court does not believe the proposal would provide cost savings. The JCC would need to also provide funding for initiatives and guidelines related to this proposal.	The committees appreciate the response.
			To implement the proposal, the Court would need to revise policies, update processes and procedures, and train staff. It would also need to implement new tools to support the guidelines.	The committees appreciate the response.
			It is unclear if two months from Judicial Council approval would be sufficient time to implement. It would depend on the guidelines and how complex the implementation would be.	The committees appreciate the response. The committees note that the two-month timeframe discussed in the request for specific comment is referring to the time to implement the new and

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-01****Judicial Branch Technology: Rules for Adoption of Technology and Data Security Guidelines** (Adopt Cal. Rules of Court, rule 10.405; amend rule 10.172)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			A longer time period should be considered.	amended rules in this proposal, rather than the time to implement any guidelines adopted under rule 10.405.
			General guidelines should be crafted to address minimum requirements and define those as entry level. If that is done, then it should work for courts of all sizes.	The committees appreciate the response.
			For general comments, the current rule lacks a control, audit, or review mechanism to ensure that courts adhere to its provisions. To address this, it would be beneficial to establish a framework of good-better-best guideline rates, providing courts with a clear spectrum of options to decide where they align within the guidelines. Additionally, adopting a risk-based approach would allow courts to assess the specific risks applicable to them, evaluate the severity of those risks, and determine an appropriate level of mitigation based on their unique circumstances.	Amending rule 10.405 to include a control, audit, or review mechanism would require public comment and therefore cannot be included in this proposal, but the committees will consider this suggestion as time and resources permit.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from the drop-down menu below]:  
**Recommend JC approval (has circulated for comment)**

**Title of proposal:** CEQA Actions: New Projects and Fees for Expedited Review

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*  
amend rules 3.2200, 3.2220, 3.2221, 3.2223, 3.2240, 8.700, 8.702, and 8.705

*Committee or other entity submitting the proposal:*  
Appellate Advisory Committee, Civil and Small Claims Advisory Committee

*Staff contact (name, phone and e-mail):* Jeremy Varon, 415-865-7424, [jeremy.varon@jud.ca.gov](mailto:jeremy.varon@jud.ca.gov)  
James Barolo, 415-865-8928, [james.barolo@jud.ca.gov](mailto:james.barolo@jud.ca.gov)

*Identify project(s) on the committee's annual agenda that is the basis for this item:*  
Annual agenda approved by Rules Committee on (date): October 22, 2024  
Project description from annual agenda: Develop rules recommendations as appropriate. AB 3265 and SB 1342 include additional projects and types of projects that receive expedited CEQA judicial review. Specifically, AB 3265 establishes streamlined procedures for judicial review of approvals granted for an environmental leadership media campus project, as defined. SB 1342 includes two specific projects as infrastructure projects, as defined by statute and rules, thereby providing expedited CEQA review for the projects. Rules should be amended to include these new projects and project types.

**Out of Cycle:** *If requesting September 1 effective date or out of cycle, explain why:*

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)  
This report or invitation to comment was  
 reviewed by EGG on (date) February 13, 2025  
 approved by Office Director (or Designee) (name) Michael Giden  
on (date) February 18, 2025  
*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)  
This proposal:  
 includes forms that have been translated.  
 includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)  
 includes forms that staff will request be translated.
- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: W25-02*

For business meeting on April 25, 2025

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Title

CEQA Actions: New Projects and Fees for Expedited Review

Rules, Forms, Standards, or Statutes Affected  
Amend Cal. Rules of Court, rules 3.2200, 3.2220, 3.2221, 3.2223, 3.2240, 8.700, 8.702, and 8.705

Recommended by

Appellate Advisory Committee  
Hon. Allison M. Danner, Chair

Civil and Small Claims Advisory Committee  
Hon. Donald J. Proietti, Chair

Report Type

Action Required

Effective Date

July 1, 2025

Date of Report

February 18, 2025

Contact

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### Executive Summary

The Appellate Advisory Committee and the Civil and Small Claims Advisory Committee recommend amending eight rules of the California Rules of Court governing the expedited resolution of actions and proceedings brought under the California Environmental Quality Act. These amendments would implement recent legislation requiring inclusion of “environmental leadership media campus project” for streamlined review and specify the fees that applicants of this project type must pay to cover the costs of the trial and appellate courts in adjudicating challenges to those projects.

### Recommendation

The Appellate Advisory Committee and the Civil and Small Claims Advisory Committee recommend that the Judicial Council, effective July 1, 2025, amend rules 3.2200, 3.2220, 3.2221, 3.2223, 3.2240, 8.700, 8.702, and 8.705 to add “environmental leadership media campus” as a “streamlined CEQA project” and to set the fees to cover trial court and appellate court costs for review of challenges to those projects, as applicable.

The text of the amended rules is attached at pages 6–13.

## Relevant Previous Council Action

Since 2011, the Legislature has enacted numerous bills providing expedited judicial review for legal challenges brought under the California Environmental Quality Act (CEQA) for specified projects. Initially, the Legislature enacted legislation providing that CEQA challenges to so-called environmental leadership projects would be brought directly to the Court of Appeal and that project applicants would pay the costs of adjudicating the case. (See Assem. Bill 900; Stats. 2011, ch. 354.) To implement the required appellate court fees in AB 900, the council adopted the predecessor to rule 8.705.

In 2013, the Legislature required the Judicial Council to adopt rules requiring that specified CEQA actions or proceedings, including any appeals, be resolved within a specified period of time. (See Sen. Bill 743; Stats. 2013, ch. 386.) SB 743 added section 21168.6.6 to the Public Resources Code, which provided that CEQA challenges to Sacramento basketball arena projects would receive expedited judicial review. To implement SB 743, the council adopted, among others, rules 3.2220 and 8.700, which provided expedited review for the specified projects and set out certain requirements and incentives to help streamline judicial review.

From 2018 to 2020, the Legislature enacted several laws expanding the projects for which streamlined CEQA review is available. Two such laws included requirements that applicants pay the “additional costs” incurred by trial and appellate courts associated with expedited adjudication of CEQA challenges for Oakland ballpark and Inglewood arena projects. (See Assem. Bill 734 (Stats. 2018, ch. 959) and Assem. Bill 987 (Stats. 2018, ch. 961).) In addition to adding the specified projects to rules 3.2220 and 8.700, the council implemented AB 734 by adopting rule 3.2240, which established a fee for streamlined CEQA review to be paid by applicants to the trial court. The council also amended rule 8.705 to include a corresponding fee for the Court of Appeal.<sup>1</sup>

In 2021, the Legislature enacted further legislation expanding the projects for which streamlined CEQA review is available and requiring project applicants to pay the trial court and Court of Appeal “costs” (as opposed to “additional costs”) for streamlined adjudication of CEQA challenges. (See Sen. Bill 7 (Stats. 2021, ch. 19) and Sen. Bill 44 (Stats. 2021, ch. 633).) The council amended rules 3.2220 and 8.700 to add the new projects and amended rules 3.2240 and 8.705 to set trial and appellate court fees for streamlined adjudication for such projects.<sup>2</sup>

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *CEQA Actions: New Projects and Fees for Expedited Review* (Mar. 2, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=10565631&GUID=6D8B30CC-D416-44C2-A4F0-D857024D2730>.

<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., *CEQA Actions: New Projects and Fees for Expedited Review* (June 16, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11204347&GUID=0B8ED5A2-2001-41B5-B8A8-3797FEF852B9>.



Most recently, in 2023, the Legislature enacted Senate Bill 149 (Stats. 2023, ch. 60) to add “infrastructure projects” to the list of projects to receive expedited CEQA review. The council amended the rules governing expedited CEQA review, effective December 31, 2023, to include this new project type and apply the required court fees in rules 3.2240 and 8.705 to these new projects.<sup>3</sup> In addition, effective January 1, 2025, the council amended rule 3.2226 to implement a requirement in the new law that courts must hold an initial case management conference within 30 days of the filing of the complaint in actions brought under CEQA that receive expedited court review.<sup>4</sup>

## **Analysis/Rationale**

In 2024, the Legislature enacted Assembly Bill 3265 (Stats. 2024, ch. 255) (Link A), which added “environmental leadership media campus” to the list of projects to receive expedited CEQA review.<sup>5</sup> Notably, the Legislature added this type of project to section 21168.6.6 of the Public Resources Code, in place of the previously repealed section on Sacramento “entertainment and sports center project.”<sup>6</sup> The new law explicitly mandates that the council expedite review for “actions or proceedings seeking judicial review of the certification of an environmental impact report for an environmental leadership media campus project or the granting of any project approval.”<sup>7</sup> It also states that the council must adopt rules to put this mandate into effect by July 1, 2025.

To implement the statute, the committees recommend rule amendments that add “environmental leadership media campus project” to the list of projects that receive expedited CEQA review and make other conforming changes.<sup>8</sup>

## **Amendments to add environmental leadership media campus projects**

Several of the recommended rule amendments simply add statutory citations or “environmental leadership media campus project” to an existing rule to implement AB 3265’s provision that such projects receive expedited CEQA review. Other proposed amendments remove references to “entertainment and sports center project” from an existing rule to implement AB 2965’s

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<sup>3</sup> Judicial Council of Cal., Advisory Com. Rep., *CEQA Actions: New Projects and Fees for Expedited Review* (Oct. 26, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12398997&GUID=7F912B56-E0AF-4D15-B801-87FE8D7EF0C2>.

<sup>4</sup> Judicial Council of Cal., Advisory Com. Rep., *CEQA Actions: Initial Case Management Conferences* (Aug. 21, 2024), <https://jcc.legistar.com/View.ashx?M=F&ID=13259734&GUID=68C78DF7-103E-4ACB-B4AB-816CE2B321E5>.

<sup>5</sup> Pub. Resources Code, § 21168.6.6.

<sup>6</sup> Section 21168.6.6 was repealed effective January 1, 2023. (See Assem. Bill 2965; Stats. 2022, ch. 38.)

<sup>7</sup> Assem. Bill 3265; Stats. 2024, ch. 255.

<sup>8</sup> Other conforming changes include removing reference to Pub. Resources Code, §§ 21189.50–21189.57, which were repealed effective July 2, 2024. (See Sen. Bill 174; Stats. 2024, ch. 74.)

removal of expedited CEQA review for such projects. (See, for example, proposed amendments to rules 3.2220 and 8.700.)

### **Fees for expedited review**

In addition to adding a category to the list of projects that receive expedited CEQA review, AB 3265 also requires that the project applicant agree “to pay any additional costs incurred by the courts in hearing and deciding any case subject to this section ..., as provided in the California Rules of Court adopted by the Judicial Council.”<sup>9</sup> Because this language mirrors the language used in the Oakland ballpark and Inglewood arena statutes (see Pub. Resources Code, §§ 21168.6.7(d)(6) and 21168.6.8(b)(6), respectively), the committees recommend that the fee requirements in the rules of court that apply to Oakland ballpark and Inglewood arena projects also apply to new environmental leadership media campus projects.

In March 2022, the council amended the rules of court to set court fees for expedited CEQA review for Oakland ballpark and Inglewood arena projects as required by statute.<sup>10</sup> Specifically, Public Resources Code sections 21168.6.7(d)(6) (Oakland ballpark) and 21168.6.8(b)(6) (Inglewood arena) require the project applicants to pay a fee for the “additional costs” to the courts for expedited review. As described in the March 2022 report to the council, those fees were derived from an estimate that the amount of time to adjudicate expedited CEQA cases is 91 full-time working days of a judicial officer and a research attorney in each of the courts. As such, the committees recommend amending California Rules of Court, rules 3.2240 and 8.705 to adopt the same fee amounts for project applicants in an environmental leadership media campus project.

### **Policy implications**

The committees recommend amending the rules to implement legislation and to ensure that the rules conform to law. The policy choices have been made by the Legislature.

### **Comments**

The committees solicited public comments on this proposal from December 6, 2024, to January 6, 2025, as part of the council’s regular winter 2025 invitation-to-comment cycle. Of the five relevant comments received, three were from courts, one was from a county bar association, and one was from the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee (TCPJAC/CEAC Joint Rules Subcommittee). All the commenters agreed with the proposal or agreed if it were modified. The substantive comments and the committees’ responses are summarized below.

The Orange County Bar Association recommended inserting the term “environmental leadership media campus project” into rule 3.2223(3), which addresses payment of the fees set by

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<sup>9</sup> Assem. Bill 3265; Stats. 2024, ch. 255, § 2.

<sup>10</sup> Judicial Council of Cal., Advisory Com. Rep., *CEQA Actions: New Projects and Fees for Expedited Review* (Mar. 2, 2022), p. 10, <https://jcc.legistar.com/View.ashx?M=F&ID=10565631&GUID=6D8B30CC-D416-44C2-A4F0-D857024D2730>.

rule 3.2240. The committees agree that such projects should be included in rule 3.2223(3) and accordingly have included this in their recommended amendments to the rules.

The Superior Court of California, County of San Bernardino noted that “[t]raining may be needed for judges as to the updated rules,” and “3 months from Judicial Council approval of this proposal until its effective date should be enough time for implementation.” The committees acknowledge that additional time may be helpful to courts. However, the statutory changes these amended rules implement take effect on July 1, 2025. The committees therefore recommend a July 1, 2025 effective date for the amended rules, even though that effective date provides only two months implementation time following Judicial Council approval.

A chart of comments and the committees’ responses is attached at pages 14–17.

### **Alternatives considered**

Because the new CEQA requirements are mandated by the Legislature, the committees did not consider the alternative of no rule amendments.

### **Fiscal and Operational Impacts**

The committees anticipate that this proposal would require courts to train court staff and judicial officers on the amended rules, but any such training would be required to implement the statutory changes in any event.

### **Attachments and Links**

1. Cal. Rules of Court, rules 3.2200, 3.2220, 3.2221, 3.2223, 3.2240, 8.700, 8.702, and 8.705, at pages 6–13
2. Chart of comments, at pages 14–16
3. Link A: Assem. Bill 3265 (Stats. 2024, ch. 255),  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202320240AB3265](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB3265)

Rules 3.2200, 3.2220, 3.2221, 3.2223, 3.2240, 8.700, 8.702, and 8.705 of the California Rules of Court are amended, effective July 1, 2025, to read:

1 **Rule 3.2200. Application**

2  
3 Except as otherwise provided in chapter 2 of the rules in this division, which govern  
4 actions under Public Resources Code sections 21168.6.6–21168.6.9, 21178–21189.3,  
5 ~~21189.50–21189.57~~, 21189.70–21189.70.10, and 21189.80–21189.91, the rules in this  
6 chapter apply to all actions brought under the California Environmental Quality Act  
7 (CEQA) as stated in division 13 of the Public Resources Code.  
8  
9

10 **Rule 3.2220. Definitions and application**

11  
12 **(a) Definitions**

13  
14 As used in this chapter:

- 15  
16 (1) A “streamlined CEQA project” means any project within the definitions  
17 stated in (2) through ~~(9)~~ (8).  
18  
19 (2) An “environmental leadership development project” or “leadership project”  
20 means a project certified by the Governor under Public Resources Code  
21 sections 21182–21184.  
22  
23 (3) ~~The “Sacramento entertainment and sports center project” or “Sacramento~~  
24 ~~arena project” means an entertainment and sports center project as defined by~~  
25 ~~Public Resources Code section 21168.6.6, for which the proponent provided~~  
26 ~~notice of election to proceed under that statute described in section~~  
27 ~~21168.6.6(j)(1). An “environmental leadership media campus project” means~~  
28 a project as defined in Public Resources Code section 21168.6.6.  
29  
30 (4) An “Oakland sports and mixed-use project” or “Oakland ballpark project”  
31 means a project as defined in Public Resources Code section 21168.6.7 and  
32 certified by the Governor under that section.  
33  
34 (5) An “Inglewood arena project” means a project as defined in Public Resources  
35 Code section 21168.6.8 and certified by the Governor under that section.  
36  
37 (6) ~~An “expanded capitol building annex project” means a state capitol building~~  
38 ~~annex project, annex project-related work, or state office building project as~~  
39 ~~defined by Public Resources Code section 21189.50.~~  
40  
41 ~~(7)~~ (6) An “Old Town Center transit and transportation facilities project” or  
42 “Old Town Center project” means a project as defined in Public Resources  
43 Code section 21189.70.

1  
2       ~~(8)~~ (7)       An “environmental leadership transit project” means a project as  
3                   defined in Public Resources Code section 21168.6.9.  
4

5       ~~(9)~~ (8)       An “infrastructure project” means an “energy infrastructure project,” a  
6                   “semiconductor or microelectronic project,” a “transportation-related  
7                   project,” or a “water-related project” as defined in Public Resources Code  
8                   section 21189.81 and certified by the Governor under Public Resources Code  
9                   sections 21189.82 and 21189.83.  
10

11       **(b) Proceedings governed**  
12

13       The rules in this chapter govern actions or proceedings brought to attack, review,  
14       set aside, void, or annul the certification of the environmental impact report or the  
15       grant of any project approvals for a streamlined CEQA project. Except as otherwise  
16       provided in Public Resources Code sections 21168.6.6–21168.6.9, 21178–21189.3,  
17       ~~21189.50–21189.57~~, 21189.70–21189.70.10, and 21189.80–21189.91 and these  
18       rules, the provisions of the Public Resources Code and the CEQA Guidelines  
19       adopted by the Natural Resources Agency (Cal. Code Regs., tit. 14, § 15000 et  
20       seq.) governing judicial actions or proceedings to attack, review, set aside, void, or  
21       annul acts or decisions of a public agency on the grounds of noncompliance with  
22       the California Environmental Quality Act and the rules of court generally apply in  
23       proceedings governed by this rule.  
24

25       **(c)**       \* \* \*  
26  
27

28       **Rule 3.2221. Time**  
29

30       **(a)**       \* \* \*  
31

32       **(b) Extensions of time by parties**  
33

34       If the parties stipulate to extend the time for performing any acts in actions  
35       governed by these rules, they are deemed to have agreed that the statutorily  
36       prescribed time for resolving the action may be extended by the stipulated number  
37       of days of the extension, and to that extent to have waived any objection to  
38       noncompliance with the deadlines for completing review stated in Public Resources  
39       Code sections 21168.6.6–21168.6.9, 21185, ~~21189.51~~, 21189.70.3, and 21189.85.  
40       Any such stipulation must be approved by the court.  
41

42       **(c) Sanctions for failure to comply with rules**  
43

1 If a party fails to comply with any time requirements provided in these rules or  
2 ordered by the court, the court may issue an order to show cause as to why one of  
3 the following sanctions should not be imposed:  
4

- 5 (1) Reduction of time otherwise permitted under these rules for the performance  
6 of other acts by that party;  
7
- 8 (2) If the failure to comply is by petitioner or plaintiff, dismissal of the petition;  
9
- 10 (3) If the failure to comply is by respondent or a real party in interest, removal of  
11 the action from the expedited procedures provided under Public Resources  
12 Code sections 21168.6.6–21168.6.9, 21185, ~~21189.51~~, 21189.70.3, and  
13 21189.85, and these rules; or  
14
- 15 (4) Any other sanction that the court finds appropriate.  
16

17  
18 **Rule 3.2223. Petition**  
19

20 In addition to any other applicable requirements, the petition must:  
21

- 22 (1) On the first page, directly below the case number, indicate that the matter is a  
23 “Streamlined CEQA Project”;  
24
- 25 (2) State one of the following:  
26  
27 (A) The proponent of the project at issue provided notice to the lead agency  
28 that it was proceeding under Public Resources Code section 21168.6.6,  
29 21168.6.7, 21168.6.8, or 21168.6.9 (whichever is applicable) and is  
30 subject to this rule; or  
31
- 32 (B) The proponent of the project at issue provided notice to the lead agency  
33 that it was proceeding under Public Resources Code sections  
34 21189.80–21189.91 and is subject to this rule; or  
35
- 36 (C) The project at issue was certified by the Governor as an environmental  
37 leadership development project under Public Resources Code sections  
38 21182–21184 and is subject to this rule; or  
39
- 40 ~~(D) The project at issue is an expanded capitol building annex project as~~  
41 ~~defined by Public Resources Code section 21189.50 and is subject to~~  
42 ~~this rule; or~~  
43

1           ~~(E)~~ (D)     The project at issue is an Old Town Center project as defined by  
2                     Public Resources Code section 21189.70 and is subject to this rule;

3  
4           (3)   If an environmental leadership media campus project, environmental  
5           leadership development project, Oakland ballpark project, Inglewood arena  
6           project, energy infrastructure project, semiconductor or microelectronic  
7           project, or water-related project, provide notice that the person or entity that  
8           applied for certification of the project as such a project must make the  
9           payments required by rule 3.2240 and, if the matter goes to the Court of  
10          Appeal, the payments required by rule 8.705;

11  
12          (4)   If an environmental leadership transit project, provide notice that the project  
13          applicant must make the payments required by rule 3.2240 and, if the matter  
14          goes to the Court of Appeal, the payments required by rule 8.705; and

15  
16          (5)   Be verified.

17  
18  
19   **Rule 3.2240. Trial court costs in certain streamlined CEQA projects**

20  
21   In fulfillment of the provisions in Public Resources Code sections 21168.6.6, 21168.6.7,  
22   21168.6.8, 21168.6.9, 21183, and 21189.82 regarding payment of trial court costs with  
23   respect to cases concerning environmental leadership media campus, environmental  
24   leadership development, environmental leadership transit, Oakland ballpark, Inglewood  
25   arena, energy infrastructure, semiconductor or microelectronic, or water-related projects:

26  
27   (1)   Within 10 days after service of the petition or complaint in a case concerning an  
28   environmental leadership development project, the person or entity that applied for  
29   certification of the project as an environmental leadership development project  
30   must pay a fee of \$180,000 to the court.

31  
32   (2)   Within 10 days after service of the petition or complaint in a case concerning an  
33   energy infrastructure project, a semiconductor or microelectronic project, or a  
34   water-related project, the project applicant, if the applicant is not the lead agency,  
35   must pay a fee of \$180,000 to the court.

36  
37   (3)   Within 10 days after service of the petition or complaint in a case concerning an  
38   environmental leadership transit project, the project applicant must pay a fee of  
39   \$180,000 to the court.

40  
41   (4)   Within 10 days after service of the petition or complaint in a case concerning an  
42   Oakland ballpark project or an Inglewood arena project, the person or entity that

1 applied for certification of the project as a streamlined CEQA project must pay a  
2 fee of \$120,000 to the court.

3  
4 (5) Within 10 days after service of the petition or complaint in a case concerning an  
5 environmental leadership media campus project, the project applicant must pay a  
6 fee of \$120,000 to the court.

7  
8 ~~(5)~~ (6) If the court incurs the costs of any special master appointed by the court in  
9 the case or of any contract personnel retained by the court to work on the case, the  
10 person or entity that applied for certification of the project or the project applicant  
11 must also pay, within 10 days of being ordered by the court, those incurred or  
12 estimated costs.

13  
14 ~~(6)~~ (7) If the party fails to timely pay the fee or costs specified in this rule, the court  
15 may impose sanctions that the court finds appropriate after notifying the party and  
16 providing the party with an opportunity to pay the required fee or costs.

17  
18 ~~(7)~~ (8) Any fee or cost paid under this rule is not recoverable.

19  
20  
21 **Rule 8.700. Definitions and application**

22  
23 **(a) Definitions**

24  
25 As used in this chapter:

- 26  
27 (1) A “streamlined CEQA project” means any project within the definitions  
28 stated in (2) through ~~(9)~~ (8).  
29  
30 (2) An “environmental leadership development project” or “leadership project”  
31 means a project certified by the Governor under Public Resources Code  
32 sections 21182–21184.  
33  
34 (3) ~~The “Sacramento entertainment and sports center project” or “Sacramento~~  
35 ~~arena project” means an entertainment and sports center project as defined by~~  
36 ~~Public Resources Code section 21168.6.6, for which the proponent provided~~  
37 ~~notice of election to proceed under that statute described in section~~  
38 ~~21168.6.6(j)(1).~~ An “environmental leadership media campus project” means  
39 a project as defined in Public Resources Code section 21168.6.6.  
40  
41 (4) An “Oakland sports and mixed-use project” or “Oakland ballpark project”  
42 means a project as defined in Public Resources Code section 21168.6.7 and  
43 certified by the Governor under that section.



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(5) An “Inglewood arena project” means a project as defined in Public Resources Code section 21168.6.8 and certified by the Governor under that section.

~~(6) An “expanded capitol building annex project” means a state capitol building annex project, annex project-related work, or state office building project as defined by Public Resources Code section 21189.50.~~

~~(7)~~ (6) An “Old Town Center transit and transportation facilities project” or “Old Town Center project” means a project as defined in Public Resources Code section 21189.70.

~~(8)~~ (7) An “environmental leadership transit project” means a project as defined in Public Resources Code section 21168.6.9.

~~(9)~~ (8) An “infrastructure project” means an “energy infrastructure project,” a “semiconductor or microelectronic project,” a “transportation-related project,” or a “water-related project” as defined in Public Resources Code section 21189.81 and certified by the Governor under Public Resources Code sections 21189.82 and 21189.83.

(b) \* \* \*

**Rule 8.702. Appeals**

(a)–(e) \* \* \*

(f) **Briefing**

(1)–(3) \* \* \*

(4) *Extensions of time to file briefs*

If the parties stipulate to extend the time to file a brief under rule 8.212(b), they are deemed to have agreed that the statutorily prescribed time for resolving the action may be extended by the stipulated number of days of the extension for filing the brief and, to that extent, to have waived any objection to noncompliance with the deadlines for completing review stated in Public Resources Code sections 21168.6.6–21168.6.9, 21185, ~~21189.51~~, 21189.70.3, and 21189.85 for the duration of the stipulated extension.

(5) \* \* \*

1  
2 (g) \* \* \*

3  
4  
5 **Rule 8.705. Court of Appeal costs in certain streamlined CEQA projects**

6  
7 In fulfillment of the provisions in Public Resources Code sections 21168.6.6, 21168.6.7,  
8 21168.6.8, 21168.6.9, 21183, and 21189.82 regarding payment of the Court of Appeal's  
9 costs with respect to cases concerning environmental leadership media campus,  
10 environmental leadership development, environmental leadership transit, Oakland  
11 ballpark, Inglewood arena, energy infrastructure, semiconductor or microelectronic, or  
12 water-related projects:

13  
14 (1) Within 10 days after service of the notice of appeal or petition in a case concerning  
15 an environmental leadership development project, the person or entity that applied  
16 for certification of the project as an environmental leadership development project  
17 must pay a fee of \$215,000 to the Court of Appeal.

18  
19 (2) Within 10 days after service of the petition or complaint in a case concerning an  
20 energy infrastructure project, a semiconductor or microelectronic project, or a  
21 water-related project, the project applicant, if the applicant is not the lead agency,  
22 must pay a fee of \$215,000 to the court.

23  
24 (3) Within 10 days after service of the notice of appeal or petition in a case concerning  
25 an environmental leadership transit project, the project applicant must pay a fee of  
26 \$215,000 to the Court of Appeal.

27  
28 (4) Within 10 days after service of the notice of appeal or petition in a case concerning  
29 an Oakland ballpark project or Inglewood arena project, the person or entity that  
30 applied for certification of the project as an Oakland ballpark project or Inglewood  
31 arena project must pay a fee of \$140,000 to the Court of Appeal.

32  
33 (5) Within 10 days after service of the notice of appeal or petition in a case concerning  
34 an environmental leadership media campus project, the project applicant must pay a  
35 fee of \$140,000 to the Court of Appeal.

36  
37 ~~(5)~~ (6) If the Court of Appeal incurs the costs of any special master appointed by the  
38 Court of Appeal in the case or of any contract personnel retained by the Court of  
39 Appeal to work on the case, the person or entity that applied for certification of the  
40 project or the project applicant must also pay, within 10 days of being ordered by  
41 the court, those incurred or estimated costs.  
42

1 ~~(6)~~ (7) If the party fails to timely pay the fee or costs specified in this rule, the court  
2 may impose sanctions that the court finds appropriate after notifying the party and  
3 providing the party with an opportunity to pay the required fee or costs.  
4

5 ~~(7)~~ (8) Any fee or cost paid under this rule is not a recoverable cost.

**W25-02**

**CEQA Actions: New Projects and Fees for Expedited Review** (Amend Cal. Rules of Court, rules 3.2200, 3.2220, 3.2221, 3.2223, 3.2240, 8.700, 8.702, and 8.705)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee (TCPJAC/CEAC Joint Rules Subcommittee)	A	The JRS notes that the proposal is required to conform to a change of law. This proposal would require courts to train staff and judicial officers on the amended rules and any such training would already be required to implement the statutory changes.	The committees appreciate the information provided.
2.	Orange County Bar Association by Mei Tsang, President Newport Beach, CA	AM	Please insert the term “environmental leadership media campus project” into Revised Rule 3.2223(3), so that the subsection reads: “If an environmental leadership media campus project, an environmental leadership development, ....”	The committees will recommend this change.

**W25-02****CEQA Actions: New Projects and Fees for Expedited Review** (Amend Cal. Rules of Court, rules 3.2200, 3.2220, 3.2221, 3.2223, 3.2240, 8.700, 8.702, and 8.705)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
3.	Superior Court of California, County of Los Angeles by Robert Oftring, Director of Communications and Legislative Affairs	A	<p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular officer or employee.</p> <p>In response to the Judicial Council of California’s “ITC W25-02 CEQA Actions: New Projects and Fees for Expedited Review,” the Superior Court of California, County of Los Angeles (Court), agrees with the proposal.</p> <p>The Court supports the proposed modification of court rules to specify an additional \$120,000 fee to be paid to the trial court for a qualifying expedited review.</p>	The committees appreciate the information provided.
4.	Superior Court of California, County of San Bernardino by Brenda Martin Del Campo, Management Analyst II	A	<p>Training may be needed for judges as to the updated rules. 3 months from Judicial Council approval of this proposal until its effective date should be enough time for implementation.</p>	The committees appreciate the information provided and note that the Legislature mandated a July 1, 2025 effective date and that the added project type is limited to the County of Los Angeles.

**W25-02**

**CEQA Actions: New Projects and Fees for Expedited Review** (Amend Cal. Rules of Court, rules 3.2200, 3.2220, 3.2221, 3.2223, 3.2240, 8.700, 8.702, and 8.705)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
5.	Superior Court of California, County of San Diego by Mike Roddy, Executive Officer	A	<p>Q: Does the proposal appropriately address the stated purpose?  <b>A: Yes.</b></p>	The committees appreciate the information provided.
			<p>Q: Would the proposal provide cost savings? If so, please quantify.  <b>A: No.</b></p>	The committees appreciate the information provided.
			<p>Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?  <b>A: None. The proposal appears to be limited to the County of Los Angeles.</b></p>	The committees appreciate the information provided.
			<p>Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?  <b>A: Yes.</b></p>	The committees appreciate the information provided.
			<p>Q: How well would this proposal work in courts of different sizes?  <b>A: Proposal appears to be limited to Los Angeles Superior Court.</b></p>	The committees appreciate the information provided.

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*  
Adopt Cal. Rules of Court, rule 3.546; amend rule 3.545

*Committee or other entity submitting the proposal:*  
Civil and Small Claims Advisory Committee

*Staff contact (name, phone and email):* James Barolo, 415-865-8928, james.barolo@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): October 22, 2024

Project description from annual agenda: Develop rule recommendations as appropriate. A member of the committee recommends revising rule 3.545 because it places onerous and unnecessary burdens on the court upon the termination of a coordinated action. Specifically, the court must promptly enter any judgment in each underlying coordinated case with the title and case number assigned to the action at the time it was filed included and serve notice of entry of the judgment via certified copy on all parties to the action and on the Chair of the Judicial Council and on the appropriate clerks of each transferor court for filing in each pending coordinated action. Some of those requirements may be superfluous and may strain court resources.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

The committee began work on this proposal last year and deferred its recommendation to the 2025 winter cycle.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) February 11, 2025

approved by Office Director (or Designee) (name) Michael Giden  
on (date) February 19, 2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.





# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:*

For business meeting on April 25, 2025

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Title

Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions

Rules, Forms, Standards, or Statutes Affected  
Adopt Cal. Rules of Court, rule 3.546; amend rule 3.545

Recommended by

Civil and Small Claims Advisory Committee  
Hon. Donald J. Proietti, Chair

Report Type

Action Required

Effective Date

July 1, 2025

Date of Report

February 25, 2025

Contact

James Barolo, 415-865-8928  
[james.barolo@jud.ca.com](mailto:james.barolo@jud.ca.com)

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### Executive Summary

The Civil and Small Claims Advisory Committee proposes amending California Rules of Court, rule 3.545 and adopting rule 3.546 to adjust court procedures for coordinated actions and coordination proceedings. The recommended rule amendment and new rule aim to address concerns that the existing rules on these matters are overly burdensome for courts and do not contain a process to terminate coordination proceedings.

### Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective July 1, 2025:

1. Adopt Cal. Rules of Court, rule 3.546 to specify procedures for terminating coordination proceedings; and
2. Amend Cal. Rules of Court, rule 3.545 to modify the procedures courts must follow when terminating coordinated actions.

The text of the proposed amended rule and new rule is attached at pages 5–6.

## Relevant Previous Council Action

The Judicial Council adopted numerous rules effective January 1, 1974, to govern the practice and procedure of coordination of civil actions pending in different trial courts that share a common question of fact or law, as required by recently enacted laws. Those rules contained rule 1545, which is now numbered 3.545. The council has amended the provisions of rule 3.545 once since adoption—in 2004—to require notice of dismissal or termination of a coordinated action to be served on the Chair of the Judicial Council and to make other minor formatting and style changes.

## Analysis/Rationale

Under sections 404 through 404.9 of the Code of Civil Procedure and rules 3.500 through 3.550 of the California Rules of Court, multiple cases with shared questions of law or fact may be joined and adjudicated as a Judicial Council coordination proceeding (JCCP) assigned to a coordination trial judge in a single superior court. This proposal aims to address two shortcomings that have been identified in the rules for coordination proceedings.

First, there is no rule that expressly states how, if ever, a JCCP is closed.<sup>1</sup> The committee recommends adoption of proposed rule 3.546 to provide a clear process by which a JCCP can be terminated with appropriate notice to both the Chair of the Judicial Council<sup>2</sup> and to the courts where the underlying actions originated. Additionally, the proposed rule would require the court to provide notice of intent to terminate the coordination proceeding to all parties to pending cases in the coordinated proceeding and would give those parties an opportunity to object to the termination.

Second, the current service requirements in rule 3.545 are burdensome to court staff providing administrative support for the coordination proceeding. Specifically, subdivision (b) of the rule requires the coordination trial judge, for each terminated or dismissed action, to provide a certified copy of a judgment or other similar order to the court from which any given case was transferred into the JCCP. The committee thus recommends rule amendments to modify this procedure.

Under the proposed amendments, the prevailing party in the action, and not the coordination court, is required to provide the originating court with copies of judgments and orders dismissing or terminating actions within the JCCP. To facilitate this procedure, the rule would also be

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<sup>1</sup> Rule 3.511(a)(12) requires that, among other things, a copy of an “[o]rder terminating a coordination proceeding in whole or in part” “must be submitted to the Chair of the Judicial Council.” However, no other procedures for terminating a coordination proceeding are specified in the rules of court.

<sup>2</sup> Notice to the Judicial Council is necessary because rule 3.550 requires Judicial Council staff to maintain records on all coordination proceedings. Some of these records are available for public inspection.

amended to require that the originating superior court be listed on a judgment for any action within the JCCP.<sup>3</sup>

### **Policy implications**

The key policy implications in this proposal concern court efficiency and clarity. The recommended rule amendment and new rule aim to increase court efficiency by reducing ministerial tasks and promote clarity by retaining the existing notice requirements and allowing courts to close proceedings as appropriate. This proposal is therefore consistent with *The Strategic Plan for California's Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

### **Comments**

The committee solicited public comments on this proposal from December 6, 2024 to January 6, 2025, as part of the council's regular winter 2025 invitation-to-comment cycle. The proposal received five comments: three were from courts, one was from a county bar association, and one was from the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee.

All the commenters agreed with the proposal or agreed if modified and none of the commenters offered substantive changes to the rule amendment or new rule. A couple of commenters suggested that the proposal could result in cost savings given the reduced burden on court staff.

The Superior Court of San Bernardino County noted that a three-month period for implementation of this proposal "should be" enough time. Although the committee acknowledges that additional time may be helpful to courts, the committee recommends an effective date for the amended rules that provides only two months following Judicial Council approval because the rule changes are urgently needed to address identified concerns. The Superior Court of San Bernardino County also posed a procedural question about the termination of coordination proceedings. The committee notes that any procedural issues beyond those covered in the proposed rule are designed to be determined by the coordination trial judge as circumstances demand.

A chart of comments and the committees' responses is attached at pages 7–11.

### **Alternatives considered**

The committee considered taking no action but concluded that the amended rule is appropriate given the burdens rule 3.545 places on courts administering JCCPs. The committee also concluded that courts and litigants would benefit from a specific procedure for courts to terminate JCCPs.

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<sup>3</sup> The committee also recommends changing "shall" to "must" in the amended rule to comport with the council's style for drafting rules.

The committee also considered eliminating subdivision (b) of rule 3.545 altogether but concluded that not providing notice of resolved actions to the originating courts could result in confusion and inaccurate dockets. In addition, the committee considered not including an opportunity for parties to object to a JCCP termination but concluded that an opportunity to raise concerns would be beneficial.

### **Fiscal and Operational Impacts**

The committee anticipates that this proposal would require courts to train court staff and judicial officers on the amended rule, particularly those court staff and judicial officers that handle JCCPs. There would also be costs associated with updating case management systems. There is a potential for cost savings as amended rule 3.545 eliminates some administrative requirements of court staff.

### **Attachments and Links**

1. Cal. Rules of Court, rules 3.545 and 3.546, at pages 5–6
2. Chart of comments, at pages 7–11

Rule 3.545 of the California Rules of Court is amended and rule 3.546 is adopted, effective July 1, 2025, to read:

1 **Rule 3.545. Termination of coordinated action**

2  
3 **(a) Coordination trial judge may terminate action**

4  
5 The coordination trial judge may terminate any coordinated action by settlement or  
6 final dismissal, summary judgment, or judgment, or may transfer the action so that  
7 it may be dismissed or otherwise terminated in the court where it was pending  
8 when coordination was ordered.

9  
10 **(b) Copies of order dismissing or terminating action and judgment**

11  
12 A certified copy of the order dismissing or terminating the action and of any  
13 judgment must be transmitted by the prevailing party (or by plaintiff in the case of  
14 a settlement or if there is no prevailing party) to:

- 15  
16 (1) The clerk of the court in which the action was pending when coordination  
17 was ordered, who ~~shall~~ must promptly enter any judgment and serve notice of  
18 entry of the judgment on all parties to the action and on the Chair of the  
19 Judicial Council; and  
20  
21 (2) The appropriate clerks for filing in each pending coordinated action.

22  
23 **(c) Judgment in coordinated action**

24  
25 The judgment entered in each coordinated action must bear the title and case  
26 number assigned to the action at the time it was filed and also identify, in the  
27 caption, the superior court in which the action was originally filed.

28  
29 **(d) Proceedings in trial court after judgment**

30  
31 Until the judgment in a coordinated action becomes final or until a coordinated  
32 action is remanded, all further proceedings in that action to be determined by the  
33 trial court must be determined by the coordination trial judge. Thereafter, unless  
34 otherwise ordered by the coordination trial judge, all such proceedings must be  
35 conducted in the court where the action was pending when coordination was  
36 ordered. The coordination trial judge must also specify the court in which any  
37 ancillary proceedings will be heard and determined. For purposes of this rule, a  
38 judgment is final when it is no longer subject to appeal.  
39

1 **Rule 3.546. Termination of coordination proceeding**

2  
3 **(a) Coordination trial judge may terminate proceeding**

- 4  
5 (1) The coordination trial judge may terminate any coordination proceeding  
6 when it appears that the intended benefits of coordination have been obtained  
7 by settlement of most or all coordinated actions, by remand of certain  
8 coordinated actions under rule 3.542, by transfer of certain coordinated  
9 actions to other trial courts under rule 3.543, or otherwise.  
10  
11 (2) Notice of intent to make an order terminating the coordination proceeding  
12 must be given to all parties to pending coordinated actions in the coordination  
13 proceeding, if any, at least 16 court days before issuing the order.  
14  
15 (3) Any party to a pending coordinated action in the coordination proceeding  
16 may object to the proposed termination by a written filing submitted within  
17 10 court days after the notice is sent.

18  
19 **(b) Copies of order terminating coordination proceeding**

20  
21 If the coordination trial judge issues an order terminating the coordination  
22 proceeding, a certified copy of the order must be transmitted to:

- 23  
24 (1) The clerk of the court in which any coordinated action was pending when  
25 first filed; and  
26  
27 (2) The Chair of the Judicial Council.  
28

**W25-03****Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions** (Adopt Cal. Rules of Court, rule 3.546; amend rule 3.545)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>DRAFT Committee Response</b>
1.	Orange County Bar Association by Mei Tsang, President Newport Beach	A	[No written comment provided.]	No response needed.
2.	Superior Court of Los Angeles County by Robert Oftring, Chief Communications and External Affairs Officer	A	<p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular judicial officer or employee.</p> <p>In response to the Judicial Council of California's proposal titled "ITC W25-03: Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions," the Superior Court of California, County of Los Angeles (Court), concurs that the proposal addresses its intended purpose.</p> <p>The Court finds that the proposal aims to simplify and clarify the process for closing JCCPs, making the process less burdensome and more systematic.</p> <p>There could be potential cost savings because the proposal transfers the responsibility for notifying the originating court of the termination (judgment or dismissal) of individual actions from court staff to the prevailing party or plaintiff.</p> <p>To implement the changes outlined in the proposal, the Court would need to train its staff and update its case management system.</p>	The committee appreciates the information provided.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-03****Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions** (Adopt Cal. Rules of Court, rule 3.546; amend rule 3.545)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>DRAFT Committee Response</b>
			<p>Judicial assistants, court assistants, and court services assistants would each need one hour of training. The Court would need to create a new Disposition Code (JCCP Terminated) and create a new Event Code (Re: Notice of Intent to Terminate JCCP) in its case management system.</p> <p>Two months would be adequate time to implement the proposal. Additionally, the Court believes this proposal would work across courts of different sizes and would provide a unified process for the termination of JCCPs.</p>	
3.	Superior Court of California, County of San Bernardino by Brenda Martin Del Campo	A	<p>Process and procedures would need to be updated to include the court terminating the proceedings. Would this be done through a hearing/minute order? Updated the procedures would require the most time. Once, procedures have been updated, training would be required. Training would not require many hours. Brief review of the updated procedures and any questions/concerns to be discussed. Less than 1 day of training. 3 months from Judicial Council approval of this proposal until its effective date should be enough time for implementation.</p>	<p>The committee notes that recommended rule 3.546 does not require a court to hold a hearing to terminate a coordination proceeding. A hearing may be appropriate in certain circumstances, such as when a party objects to termination of the proceeding. Otherwise, a minute order may be sufficient to order termination. The committee further notes that it is recommending that amended rule 3.545 and new rule 3.546 become effective 2 months from Judicial Council approval.</p>
4.	Superior Court of California, County of San Diego by Mike Roddy, Executive Officer	A	<p>Q: Does the proposal appropriately address the stated purpose? A: Yes.</p> <p>Q: Would the proposal provide cost savings? If so, please quantify.</p>	<p>The committee appreciates the information provided.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated



**W25-03****Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions** (Adopt Cal. Rules of Court, rule 3.546; amend rule 3.545)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>DRAFT Committee Response</b>
			<p>A: No.</p> <p>Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p>A: Updating procedures, training staff, and notifying judicial officers.</p> <p>Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p>A: Yes.</p> <p>Q: How well would this proposal work in courts of different sizes?</p> <p>A: It appears that the proposal would work for courts of all sizes.</p>	
5.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) (TCPJAC/CEAC Joint Rules Subcommittee)	A	<p>The JRS notes that the proposal is intended to provide significant cost savings or efficiencies. The JRS also notes the following impact to court operations:</p> <p>Impact on existing automated systems. The Court would need to create a new Disposition Code (JCCP Terminated) and create a new Event Code (Re: Notice of Intent to Terminate JCCP) in its case management system.</p>	The committee appreciates the information provided.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-03**

**Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions** (Adopt Cal. Rules of Court, rule 3.546; amend rule 3.545)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	DRAFT Committee Response
			<p>Results in additional training, which requires the commitment of staff time and court resources.</p> <p>To implement the changes outlined in the proposal, the Court would need to train its staff and update its case management system. Judicial assistants, court assistants, and court services assistants would each need one hour of training.</p> <p>1. Does the proposal appropriately address the stated purpose?</p> <p>a. The proposal addresses its intended purpose. The proposal aims to simplify and clarify the process for closing JCCPs, making the process less burdensome and more systematic.</p> <p>2. Would the proposal provide cost savings? If so, please quantify.</p> <p>a. There could be potential cost savings because the proposal transfers the responsibility for notifying the originating court of the termination (judgment or dismissal) of individual actions from court staff to the prevailing party or plaintiff.</p> <p>3. What would the implementation requirements be for courts?</p> <p>a. To implement the changes outlined in the proposal, courts would need to train staff and update case management system. Judicial assistants, court assistants, and court services assistants would each need one hour of training.</p>	

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-03**

**Civil Practice and Procedure: Termination of Complex Coordination Proceedings and Actions** (Adopt Cal. Rules of Court, rule 3.546; amend rule 3.545)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>DRAFT Committee Response</b>
			<p>The Court would need to create a new Disposition Code (JCCP Terminated) and create a new Event Code (Re: Notice of Intent to Terminate JCCP) in its case management system.</p> <p>4. Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p>a. Two months would be adequate time to implement the proposal.</p> <p>5. How well would this proposal work in courts of different sizes?</p> <p>a. We believe this proposal would work across courts of different sizes and would provide a unified process for the termination of JCCPs.</p>	

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** 3/13/2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Criminal Law: Felony Plea Form

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*  
Revise form CR-101

*Committee or other entity submitting the proposal:*  
Criminal Law Advisory Committee

*Staff contact (name, phone and email):* Sarah Fleischer-Ihn, 415-865-7702, sarah.fleischer-ihn@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): 10/22/24

Project description from annual agenda: The committee will consider several updates to the felony plea form, including advisements pursuant to In re Tellez (2024) 17 Cal.5th 77 and Proposition 36 (if passed), revising the item regarding a factual basis for the plea, supplementing citations for guilty or no contest pleas entered to take advantage of a plea agreement, and adding an evidence disposal waiver.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*  
The revisions implement new law that is already in effect.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

- reviewed by EGG on (date) 2/11/2025
- approved by Office Director (or Designee) (name) Francine Byrne on (date) 2/4/2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.)

- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:*

For business meeting on April 24–25, 2025

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Title	Report Type
Criminal Law: Felony Plea Form	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise form CR-101	July 1, 2025
Recommended by	Date of Report
Criminal Law Advisory Committee	February 20, 2025
Hon. Lisa Rodriguez, Chair	Contact
	Sarah Fleischer-Ihn, 415-865-7702
	<a href="mailto:sarah.fleischer-ihn@jud.ca.gov">sarah.fleischer-ihn@jud.ca.gov</a>

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### Executive Summary

The California Supreme Court recently directed trial courts to advise defendants pleading guilty or no contest to a sexually violent offense about the possibility of being referred to sexually violent predator proceedings and to inquire whether the parties discussed the possibility of a disposition involving a plea to an offense that is not a sexually violent offense. In addition, Proposition 36 requires trial courts to advise defendants convicted of specified felony drug offenses that they can be charged with murder if death results from illicitly manufacturing, distributing, selling, furnishing, or giving away drugs. The Criminal Law Advisory Committee recommends incorporating these advisements and inquiry into the felony plea form and clarifying existing language on the form about the factual basis for the plea.

### Recommendation

The Criminal Law Advisory Committee recommends that the Judicial Council, effective July 1, 2025 revise *Plea Form, With Explanations and Waiver of Rights—Felony* (form CR-101), to incorporate recent case law and legislation and clarify language about the factual basis for the plea.

The proposed form is attached at pages 7–14.

## Relevant Previous Council Action

Form CR-101 was most recently revised effective January 1, 2025, to advise defendants about body armor, firearm, and ammunition prohibitions introduced by Assembly Bill 92 (Stats. 2023, ch. 232), which amended Penal Code section 31360 to expand the prohibition against owning, purchasing, or possessing body armor to any person prohibited from possessing a firearm under state law. The legislative amendment added a requirement that the court advise a prohibited person of the body armor prohibition.

Previously, the form was revised effective March 1, 2023, to update advisements on firearm prohibitions to reflect statutory changes to the definition of a firearm under Assembly Bill 1621 (Stats. 2022, ch. 76).

## Analysis/Rationale

Recent case law and legislation require two new advisements in specified felony cases. In *In re Tellez* (2024) 17 Cal.5th 77, the California Supreme Court exercised its supervisory powers to require trial courts to advise defendants of the potential consequences of the Sexually Violent Predator Act when they are pleading guilty or no contest to a sexually violent offense under Welfare and Institutions Code section 6600(a)(2) and (b) or when the court is aware that the defendant has a prior conviction for a sexually violent offense. The court specified that the advisement be similar to the following language:

At the end of your sentence for this offense, you may be subject to screening by the State Department of State Hospitals to determine whether you qualify for trial as a sexually violent predator, which could result in your being committed to a secure medical facility indefinitely.

(*In re Tellez, supra*, 17 Cal.5th, at pp. 92–93.)

To ensure that the record is complete, the court held that trial courts “should also inquire whether the parties discussed the possibility of a disposition involving a plea to an offense that is *not* a sexually violent offense.” (*Id.* at p. 93.)

Proposition 36, the Homelessness, Drug Addiction, and Theft Reduction Act, was approved by voters in the general election on November 5, 2024. It also added a new advisement for persons convicted of specified felony drug offenses:

The court shall advise a person who is convicted of, or who pleads guilty or no contest to, a violation of Section 11351, 11351.5, 11352, 11378, 11378.5, 11379, 11379.5, or 11379.6 involving a hard drug, of the following: “You are hereby advised that it is extremely dangerous and deadly to human life to illicitly manufacture, distribute, sell, furnish, administer, or give away any drugs in any form, including real or counterfeit drugs or pills. You can kill someone by engaging in this conduct. All drugs and counterfeit pills are dangerous to human

life. These substances alone, or mixed, kill human beings in very small doses. If you illicitly manufacture, distribute, sell, furnish, administer, or give away any real or counterfeit drugs or pills, and that conduct results in the death of a human being, you could be charged with homicide, up to and including the crime of murder, within the meaning of Section 187 of the Penal Code.”

(Health & Saf. Code, § 11369(b).)

The advisory statement must be provided to the defendant in writing, either on a plea form, if used, as an addendum to a plea form, or at sentencing. (Health & Saf. Code, § 11369(c).) The fact that the advisory was given must be specified on the record and recorded in the abstract of the conviction. (*Ibid.*)

To implement these changes, the committee recommends the following revisions to *Plea Form, With Explanations and Waiver of Rights—Felony* (form CR-101):

- Add new item 3h, Sexually Violent Predator Civil Commitment, notifying a defendant who is or has previously been convicted of a sexually violent offense that if they are ever committed to the custody of the California Department of Corrections and Rehabilitation, they may at the conclusion of that term be subject to screening by the State Department of State Hospitals to determine whether they meet the criteria for indeterminate commitment as a sexually violent predator and, potentially, be made subject to civil commitment proceedings.
- Add a new finding (number 6) to the Court’s Findings and Order (page 8 of the form) with a checkbox for the court to indicate that for convictions of a sexually violent offense, the parties discussed the possibility of a disposition involving a plea to an offense that is not a sexually violent offense.
- Add new item 11b, advising defendants convicted of specified drug offenses as required by statute.

To clarify the provisions on the factual basis for the plea and to make them more accurate, the committee proposes the following revisions:

- Add new item 9b(1), which provides an option for a defendant to admit facts establishing all elements of the offense as to each count, as the factual basis for the plea.
- Renumber current item 9b(1) as 9b(2), and revise it to state that documents offered as a factual basis for the plea are in the record or are attached to the plea form to become part of the record.
- Renumber current item 9b(2), the item on pleading guilty or no contest to take advantage of a plea agreement, as item 9c, and revise it to add a cite to *N.C. v. Alford* (1970) 400



U.S. 25<sup>1</sup> and to state that the guilty or no context plea may also be to avoid conviction of a greater offense.<sup>2</sup>

- Revise the attorney’s statement on page 7 of the form to state that documents offered as a factual basis for the plea are in the record or are attached to the plea form to become part of the record.

Finally, the committee recommends making technical amendments to item 2 to reference a county jail sentence under Penal Code section 1170(h), and in item 3b(3), replacing “pursuant to” with “under” to comport with the council’s style for drafting forms.

### **Policy implications**

The form implements new legal requirements. Accordingly, the key policy implications are ensuring that council rules and forms correctly reflect the law. These revisions are therefore consistent with the *Strategic Plan for California’s Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

### **Comments**

The proposal circulated for comment from December 6, 2024, to January 6, 2025. Five comments were received. Three commenters—the Superior Court of Los Angeles, the Superior Court of Orange County, and the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee—agreed with the proposal. The Orange County Bar Association (OCBA) agreed with it if modified, and court staff with the Superior Court of Orange County did not indicate a position.

The committee declined to implement a change requested by staff with the Superior Court of Orange County to add a column indicating the date of a violation on item 1 of the form.

The committees appreciate the time taken to respond to this proposal. Below is a summary of substantive issues that were raised in the comments. All comments received, and the committee’s responses, are provided in the attached chart of comments at pages 16–21.

### ***Modified advisement under In re Tellez***

The committee requested specific comments on whether to modify the language of the advisement from *In re Tellez* to reference custody in the California Department of Corrections as a condition precedent to screening by the Department of State Hospitals for a sexually violent

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<sup>1</sup> In *N.C. v. Alford*, the Supreme Court held that a defendant may plead guilty in order to take advantage of a plea bargain while still asserting innocence.

<sup>2</sup> See *People v. West* (1970) 3 Cal.3d 595, 611 (court may accept bargained plea of guilty or nolo contendere to any lesser offense reasonably related to offense charged).

predator determination,<sup>3</sup> and to replace language from the opinion that could be confusing for defendants. The modified advisement in the invitation to comment read as follows:

If I am convicted of a sexually violent offense or have a prior conviction for a sexually violent offense and am ever committed to the custody of the California Department of Corrections and Rehabilitation, I may at the conclusion of that term be subject to screening by the State Department of State Hospitals to determine whether I meet the criteria for indeterminate commitment as a sexually violent predator and, potentially, be made subject to civil commitment proceedings.

Three commenters—the Superior Court of Los Angeles, the Joint Rules Subcommittee, and the Orange County Bar Association—prefer the modified advisement, noting that it is more accurate, clear, and concise and removes confusing legal terms.

The committee agreed with the comments and recommends revisions to further simplify the advisement:

If I am or have previously been convicted of a sexually violent offense ~~or have a prior conviction for a sexually violent offense~~ and am ever committed to the custody of the California Department of Corrections and Rehabilitation, I may at the conclusion of that term be subject to screening by the State Department of State Hospitals to determine whether I meet the criteria for indeterminate commitment as a sexually violent predator and, potentially, be made subject to civil commitment proceedings.

#### ***Court inquiry on alternate dispositions***

To ensure that the record is complete, *In re Tellez* states that trial courts “should also inquire whether the parties discussed the possibility of a disposition involving a plea to an offense that is not a sexually violent offense.” (*In re Tellez*, 17 Cal.5th 77, at p. 93.) The committee incorporated this into the court findings and order portion of the plea form and circulated the following for public comment:

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<sup>3</sup> See Welf. & Inst. Code, § 6601(a), (b).

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## COURT'S FINDINGS AND ORDER

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The court, having reviewed this form (and any addenda), and having orally examined the defendant, finds as follows:

1. The initialed items in this form have been read by or read to the defendant, and the defendant understands each of them.
2. The defendant understands the nature of the crimes, prior convictions, enhancements, allegations, and circumstances in aggravation listed in item 1 (on page 1) and the consequences of the plea and any admissions.
3. The defendant expressly, knowingly, understandingly, and intelligently waives the constitutional and statutory rights associated with this plea.
4. The defendant's plea, admissions, and waiver of rights are made freely and voluntarily.
5. A factual basis exists for the plea and admissions.
6. For convictions of a sexually violent offense, the parties discussed the possibility of a disposition involving a plea to an offense that is not a sexually violent offense.

The court accepts the defendant's plea, admissions, and waiver of rights, and the defendant is hereby convicted based thereon.

It is ordered that this document be filed with the court's records of this case and that the defendant's plea, admissions, and waiver of rights be accepted and entered in the minutes of this court.

Date:

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(SIGNATURE OF JUDICIAL OFFICER)

OCBA commented that the finding should be affirmative on the record, that the court should initial or sign the finding separately from the other findings, and that the attorneys should initial or sign that alternative dispositions were discussed. Otherwise, OCBA was concerned that the finding would be standard on every felony plea, regardless of whether applicable.

The committee agreed, in part, with the comment, and a majority of the members (13) recommended adding a checkbox for the judge to indicate that this inquiry was conducted in a case involving a conviction for a sexually violent offense. Three members disagreed with adding a checkbox, and one member abstained.

### **Alternatives considered**

The committee did not consider the alternative of not revising the form because it determined that it was necessary to revise the form to implement new case law and legislation.

### **Fiscal and Operational Impacts**

The fiscal and operational impacts of this proposal are largely attributable to changes in law. Expected costs include staff training, case management system updates, and the production of new forms.

### **Attachments and Links**

1. Form CR-101, at pages 7–14
2. Chart of comments, at pages 15–20
3. Link A: Health & Saf. Code, § 11369,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=11369.&lawCode=HSC](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=11369.&lawCode=HSC)

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  02/20/2025 DRAFT Not approved by the Judicial Council
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PEOPLE OF THE STATE OF CALIFORNIA v. DEFENDANT:	CASE NUMBER:
<b>PLEA FORM, WITH EXPLANATIONS AND WAIVER OF RIGHTS—FELONY</b>	

**INSTRUCTIONS:**

- (1) Fill out this form only if you want to plead guilty or no contest.
- (2) Read this form carefully. For each item, if you understand and agree with what you read, put your initials in the box to the right of the item. For any item that does not apply to you or that you do not understand, leave the box blank.
- (3) On page 6, sign and date the form under "DEFENDANT'S STATEMENT."
- (4) Keep in mind that the court cannot give legal advice. If you have any questions about anything in this form, ask your attorney.

1. **CHARGES AND MAXIMUM TERM.** I want to plead guilty or no contest ("nolo contendere") to the charges and admit the following prior convictions, enhancements, allegations, and circumstances in aggravation listed below. I understand that the minimum and maximum penalties for the charges to which I am pleading guilty or no contest are listed below. INITIALS

COUNT	CHARGES (SECTION & DESCRIPTION)	YEARS / MONTHS		PRIOR CONVICTIONS, ENHANCEMENTS, ALLEGATIONS & CIRCUMSTANCES IN AGGRAVATION (SECTION & DESCRIPTION)	YEARS / MONTHS		TOTAL MAXIMUM TIME
		MINIMUM	MAXIMUM		MINIMUM	MAXIMUM	
<b>AGGREGATE MAXIMUM TIME OF IMPRISONMENT</b>							

2. **PLEA AGREEMENT.** I understand that I must tell the court on this form about any promises anyone has made to me about the sentence I will receive or the sentence recommendations that will be made to the court. My attorney, the court, or the prosecutor has explained to me that if I plead guilty or no contest to the charges and admit the prior convictions, enhancements, allegations, and circumstances in aggravation listed above, the court will sentence me as follows:

- a. Check one:  **State Prison** for  **County Jail** per Penal Code section 1170(h) for
- (1)  years and  months or
- (2)  not less than  years and  months and/or not more than  years and  months.
- (3)  Other (specify):
- b. **Probation** for  years under conditions to be set by the court, including
- days in the **county jail** or
- up to  days in the **county jail**.

I understand that a violation of any of the conditions of probation, including failure to complete a drug education or treatment program, if ordered by the court, may cause the court to send me to **county jail or state prison** for up to the "**Aggregate Maximum Time of Imprisonment**" specified in item 1, which may include a period of mandatory supervision under Penal Code section 1170(h)(5)(B) if the court sends me to county jail.

<b>PEOPLE OF THE STATE OF CALIFORNIA v.</b> Defendant:	CASE NUMBER:
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INITIALS

2. c. **Split Sentence (1170(h)(5)(B)):**        years and        days in the county jail and        years and        days on mandatory supervision under conditions set by the court. I understand that if I violate any of the terms or conditions of mandatory supervision, I may be remanded into custody for the entire unserved portion of the sentence.

**d. Open Plea**

- (1)  I understand the maximum and minimum sentences for the charges, enhancements, and allegations stated on page 1. No one has made any other promises to me about what sentence the court may order.
- (2)  I understand that I am not eligible for probation.
- (3)  I understand that I will not be granted probation unless the court finds at the time of sentencing that this is an unusual case where the interests of justice would be best served by granting probation.

**e. Restitution, Statutory Fees, and Assessments**

I understand that the court will order me to pay the following amounts (if an amount is not yet known, "TBD" for "to be determined" is entered next to the \$); I must prepare financial disclosure statements to assist the court in determining my ability to pay; and refusal or failure to prepare the required financial disclosure statements may be used against me at sentencing:

- (1)  \$                    **to the Victim Restitution Fund**
- (2)  \$                    **restitution to actual victims**
- (3)  \$                    **restitution to the State of California, Victims of Crime Fund**
- (4)  \$                    **court operations assessment**
- (5)  \$                    **court facilities assessment**
- (6)  \$                    **base fine plus any applicable penalties, assessments, and surcharges**
- (7)  \$                    **other (specify):**
- (8)  \$                    **other (specify):**
- (9)  An (additional) amount to be determined by the court at sentencing or such other hearing as the court may set.

**f. Fines for Revocation of Parole, Postrelease Community Supervision, Mandatory Supervision, or Probation**

I understand that if I am sentenced to **state prison**, the court **will** impose a parole revocation fine or a postrelease community supervision revocation fine, which will be collected only if my parole or postrelease community supervision is later revoked. I also understand that if I am granted probation or mandatory supervision, the court **will** impose a probation revocation fine or mandatory supervision revocation fine, which will be collected only if my probation or mandatory supervision is later revoked.

**g. Dismissal of Other Counts**

I understand that as part of the plea agreement bargain, the following counts will be dismissed after sentencing:

I understand and agree that the sentencing judge may consider facts underlying dismissed counts to determine restitution and to sentence me on the counts to which I am entering a plea.

**h. Other Terms (specify):**

**3. CONSEQUENCES OF MY PLEA**

**a. No Contest ("Nolo Contendere") Plea**

I understand that a no contest plea is the same as pleading guilty and that if I plead no contest, I will be convicted and my no contest plea could be used against me in a civil case.

<b>PEOPLE OF THE STATE OF CALIFORNIA v.</b> Defendant:	CASE NUMBER:
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INITIALS

3. b. **Parole and Postrelease Community Supervision**

I understand that if I am sentenced to **state prison**

(1) I will be placed on parole or postrelease community supervision for up to \_\_\_\_\_ years after my release.

(2) if I abscond or the court tolls my supervision, the total time of parole or postrelease community supervision can be extended.

(3) if I violate any of the terms or conditions of my parole, I can be sentenced to county jail for up to 180 days for each violation, or if I am convicted of a crime that is subject to parole **under** Penal Code section 3000(b)(4) or 3000.1, I could be returned to state prison.

c. **Effect of Conviction on Other Cases**

I understand that a conviction in this case may constitute a violation of any other current grant of parole, mandatory supervision, postrelease community supervision, or probation in any other case and that I may receive additional punishment as a result of that violation.

d. **Registration**

I understand that I will be required to register with the local police agency or sheriff's department in the city or county in which I reside as

- (1)  an arson offender                      (3)  a sex offender **(this registration is a lifelong requirement)**
- (2)  a gang member                              (4)  Other (*specify*):

and that if I fail to register or to keep my registration current for any reason, new felony criminal charges may be filed against me.

e. **Prints and DNA Samples**

I understand that I must provide biological samples and prints for identification purposes—including buccal (mouth) swab samples, right thumb prints, palm prints of each hand, and blood specimens or other biological samples required by law—and that failure to do so constitutes a new criminal offense.

f. **Serious or Violent Felony**

- (1)  I understand that by pleading guilty or no contest to a serious or violent felony ("strike"), the penalty for any future felony conviction will be increased as a result of my conviction in this case, depending on the number of strikes I have, up to a mandatory prison sentence of double the term otherwise provided or a term of at least 25 years to life.
- (2)  I understand that if I am convicted of a violent felony, jail or prison conduct/work-time credit I may accrue will not exceed 15 percent.
- (3)  I understand that if I am admitting a prior strike conviction, prison work-time credit that I may accrue will not exceed 20 percent of the total term of imprisonment.
- (4)  I understand that if I am convicted of murder or a third felony conviction of certain offenses, I am ineligible to receive work-time credits.      Count \_\_\_\_\_ is such an offense.

g. **Prior Prison Term for Sexually Violent Offense**

I understand that if I am sentenced to serve a state prison term for this sexually violent offense, as defined in Welfare and Institutions Code section 6600(b), the penalty for any future felony conviction may be increased as a result of my incarceration in this case.

**h. Sexually Violent Predator Civil Commitment**

If I am or previously have been convicted of a sexually violent offense and am ever committed to the custody of the California Department of Corrections and Rehabilitation, I may at the conclusion of that term be subject to screening by the State Department of State Hospitals to determine whether I meet the criteria for indeterminate commitment as a sexually violent predator and, potentially, be made subject to civil commitment proceedings.

<b>PEOPLE OF THE STATE OF CALIFORNIA v.</b> Defendant:	CASE NUMBER:
---	--------------

INITIALS

**i. Driver's License and Vehicle Forfeiture**  
 I understand that my privilege to drive a motor vehicle may be revoked or suspended by the court or the California Department of Motor Vehicles and my vehicle may be ordered forfeited if it was involved in the offense.

**j. Immigration Consequences**  
 I understand that if I am not a citizen of the United States, my plea of guilty or no contest may result in my deportation, exclusion from admission to the United States, or denial of naturalization under the laws of the United States.

**k. Firearms (Guns), Firearm Parts, and Ammunition Prohibition and Relinquishment**  
 I understand that under federal and state law a conviction in this case prohibits me from owning, using, purchasing, receiving, or having under my custody or control firearms (guns), firearm parts, ammunition, reloaded ammunition, and ammunition feeding devices, including but not limited to magazines, for life. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). I must relinquish any firearms and firearm parts I own, possess, or have under my custody or control (see Penal Code section 29810).

**l. Body Armor Prohibition and Relinquishment**  
 I understand that a conviction in this case prohibits me from purchasing, owning, or possessing body armor (defined in Penal Code section 16288). I must relinquish any body armor I have in my possession (see Penal Code section 31360).

**m. Other Consequences (specify):**

**4. RIGHT TO AN ATTORNEY**  
 I understand that I have the right to an attorney of my choice to represent me throughout the proceedings. If I cannot afford to hire an attorney, the court will appoint one to represent me.

**I hereby give up my right to be represented by an attorney.**

**5. OTHER CONSTITUTIONAL RIGHTS**  
 I understand that I am entitled to each of the following rights as to the charges, enhancements, allegations, and circumstances in aggravation listed in item 1 (on page 1):

**a. Right to a Jury Trial**  
 I understand that I have a right to a speedy and public jury trial. At the trial, I would be presumed to be innocent, and I could not be convicted unless, after hearing all of the evidence, 12 impartial jurors chosen from the community were unanimously convinced beyond a reasonable doubt that I am guilty. I have a right, through my counsel, to participate in jury selection.

**b. Right to a Court Trial**  
 I understand that, as an alternative to a jury trial, if the prosecutor agrees, I may give up a jury trial and have a court trial in which the judge alone, without a jury, hears the evidence. I still could not be convicted unless, after hearing all of the evidence, the judge was convinced beyond a reasonable doubt that I am guilty.

**c. Right to Confront and Cross-Examine Witnesses**  
 I understand that I have the right to confront and cross-examine all witnesses testifying against me. This means that the prosecution must produce the witnesses in court, they must testify under oath in my presence, and my attorney may question them.

**d. Right to Remain Silent and Not to Incriminate Myself**  
 I understand that I have the right to remain silent, and my silence cannot be considered as evidence against me. I understand that I also have the right not to incriminate myself, and I cannot be forced to testify.

**e. Right to Produce Evidence and to Present a Defense**  
 I understand that I have a right to present evidence and to have the court issue subpoenas to bring to court all witnesses and evidence favorable to me, at no cost to me. I also have the right to testify on my own behalf.

PEOPLE OF THE STATE OF CALIFORNIA v. Defendant:	CASE NUMBER:
--	--------------

INITIALS

6. BEFORE THE PLEA

a. Discussion With My Attorney

Before entering this plea, I have had a full opportunity to discuss the following with my attorney:

- (1) The facts of my case;
- (2) The elements of the charged offenses, prior convictions, enhancements, allegations, and circumstances in aggravation;
- (3) Any defenses that I may have;
- (4) My constitutional and statutory rights and waiver of those rights;
- (5) The consequences of this plea, including the immigration consequences;
- (6) Anything else I think is important to my case.

b. Questions

I have no further questions of the court or of my attorney with regard to my plea and admissions in this case, any of the rights, or anything else on this form.

c. Stipulation to Commissioner

I understand that I have the right to have a judge take my plea and sentence me. I give up this right and agree to have a commissioner, sitting as a temporary judge, take my plea and sentence me.

d. Medications or Controlled Substances

I am not taking any medication that affects my ability to understand this form and the consequences of my plea, have not recently consumed any alcohol or drugs, and am not suffering from any medical condition, except for the following:

e. Court Approval of Plea Agreement

I understand that the plea agreement in item 2 (on pages 1 and 2) is based on the facts before the court. I understand that if the court approves this plea agreement, the approval of the court is not binding, and that the court may withdraw its approval of the plea agreement upon further consideration of the matter. I understand that if the court withdraws its approval of this plea agreement, I will be allowed to withdraw my plea. (Pen. Code, § 1192.5.)

7. STATUTORY RIGHT TO A PRELIMINARY HEARING

I understand that before I have a trial, the law gives me the right to a speedy preliminary hearing at which the prosecution would produce evidence and the court must find reasonable cause to believe I committed the crimes with which I have been charged. I understand that I have all of the above constitutional rights at the preliminary hearing, except for the right to a jury trial.

I give up my right to a preliminary hearing and the constitutional rights listed in item 5 (on page 4).

8. WAIVER OF CONSTITUTIONAL AND STATUTORY RIGHTS

I give up, for each of the charges, enhancements, allegations, and circumstances in aggravation listed in item 1 (on page 1), my right to a jury trial, my right to a court trial, my right to confront and cross-examine witnesses, my right to remain silent and not to incriminate myself, and my right to produce evidence and to present a defense, including my right to testify on my own behalf. I understand that I am, in fact, incriminating myself with my plea.

9. THE PLEA

I plead  GUILTY  NO CONTEST to the charges listed in item 1 (on page 1) and admit the prior convictions, enhancements, allegations, and circumstances in aggravation listed in item 1 (on page 1), understanding that this plea and admission will lead to the penalties listed in item 2 (on pages 1 and 2).

a. I offer my plea of guilty or no contest freely and voluntarily and with full understanding of everything in this form. No one has made any threats; used any force against me, my family, or my loved ones; or made any promises to me, except as listed in this form, in order to convince me to plead guilty or no contest.



<b>PEOPLE OF THE STATE OF CALIFORNIA v.</b> Defendant:	CASE NUMBER:
---	--------------

INITIALS

9. **b.** I understand that the court is required to find a factual basis for my plea to make sure that I am entering a plea to the proper offenses under the facts of the case.

(1)  I admit that on the dates charged, I *(describe the facts establishing all elements of the offense as to each count)*:

(2)  I offer to the court as the basis for the plea of guilty or no contest and any admissions the following documents that are in the record or that are attached to this plea form to become part of the record:

- (a)  Preliminary hearing transcript
- (b)  Police report
- (c)  Probation report
- (d)  Welfare investigator's declaration
- (e)  Court documents regarding any alleged prior offenses
- (f)  Other *(specify)*:
- (g)  *(Specify facts)*:

**c.** I am pleading guilty or no contest to take advantage of a plea agreement or to avoid the risk of conviction of a greater offense and I understand that my attorney will stipulate that there is a factual basis for the plea. *(N.C. v. Alford (1970) 400 U.S. 25; People v. West (1970) 3 Cal.3d 595)*.

**10. AFTER THE PLEA**

**a. Surrender**

I understand that the court is allowing me to surrender at a later date to begin serving time in custody.

I agree that if I fail to appear on the date set for surrender or sentencing without a legal excuse, my plea will become an "open plea" to the court, I will not be allowed to withdraw my plea, and I may be sentenced up to the maximum allowed by law.

**b. Sentencing Court**

I understand that I have the right to be sentenced by the same judge or commissioner who takes my plea.

I give up that right and agree that any judge or commissioner may sentence me.

**c. Sentencing Date**

I understand that I have the right to be sentenced within 20 court days. I give up that right and agree to be sentenced at a later date.

**11. MANDATORY WARNING**

**a.** I understand that if I am charged with violating Vehicle Code section 23103, as specified in Vehicle Code section 23103.5, or Vehicle Code section 23152 or 23153, the following warning applies:

You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and as a result of that driving someone is killed, you can be charged with murder.

**b.** I understand that if I am charged with violating Health and Safety Code sections 11351, 11351.5, 11352, 11378, 11378.5, 11379, 11379.5, or 11379.6 involving a hard drug, the following warning applies:

You are hereby advised that it is extremely dangerous and deadly to human life to illicitly manufacture, distribute, sell, furnish, administer, or give away any drugs in any form, including real or counterfeit drugs or pills. You can kill someone by engaging in this conduct. All drugs and counterfeit pills are dangerous to human life. These substances alone, or mixed, kill human beings in very small doses. If you illicitly manufacture, distribute, sell, furnish, administer, or give away any real or counterfeit drugs or pills, and that conduct results in the death of a human being, you could be charged with homicide, up to and including the crime of murder, within the meaning of section 187 of the Penal Code.

PEOPLE OF THE STATE OF CALIFORNIA v. Defendant:	CASE NUMBER:
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**DEFENDANT'S STATEMENT**

I have read or have had read to me this form and have initialed each of the items that applies to my case. If I have an attorney, I have discussed each item with my attorney. By putting my initials next to the items in this form, I am indicating that I understand and agree with what is stated in each item that I have initialed. The nature of the charges, possible defenses, and effects of any prior convictions, enhancements, allegations, and circumstances in aggravation have been explained to me. I understand each of the rights outlined above, and I give up each of them to enter my plea.

Date: \_\_\_\_\_

\_\_\_\_\_ (TYPE OR PRINT NAME)       \_\_\_\_\_ (SIGNATURE OF DEFENDANT)

**ATTORNEY'S STATEMENT**

I am the attorney of record for the defendant. I have reviewed this form with my client. I have explained each of the items in the form, including the defendant's constitutional and statutory rights, to the defendant and have answered all of the defendant's questions with regard to those rights, the other items in this form, and the plea agreement. I have also discussed the facts of the case with the defendant and have explained the nature and elements of each charge; any possible defenses to the charges; the effect of any prior convictions, enhancements, allegations, and circumstances in aggravation; and the consequences of the plea.

I concur in the plea and admissions and join in the waiver of the defendant's constitutional and statutory rights, and I hereby stipulate that there is a factual basis for the plea and refer the court to the following documents that are in the record or that are attached to this plea form to become part of the record:

- police report     preliminary hearing transcript     probation report  
 other (specify): \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_ (TYPE OR PRINT NAME)       \_\_\_\_\_ (SIGNATURE OF ATTORNEY)

**INTERPRETER'S STATEMENT**

I, having been duly sworn or having a written oath on file, certify that I truly translated this form to the defendant in the language noted below.

Language:  Spanish     Other (specify): \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_ (TYPE OR PRINT NAME)       \_\_\_\_\_ (SIGNATURE OF INTERPRETER)

\_\_\_\_\_ (CERTIFICATION NUMBER)

**DISTRICT ATTORNEY'S STATEMENT**

I have read this form and understand the terms of the plea agreement.

I  agree     do not agree with the terms of the plea agreement and the indicated sentence.

Date: \_\_\_\_\_

\_\_\_\_\_ (TYPE OR PRINT NAME)       \_\_\_\_\_ (SIGNATURE OF DISTRICT ATTORNEY)

<b>PEOPLE OF THE STATE OF CALIFORNIA v.</b> Defendant:	CASE NUMBER:
---	--------------

**COURT'S FINDINGS AND ORDER**

The court, having reviewed this form (and any addenda), and having orally examined the defendant, finds as follows:

1. The initialed items in this form have been read by or read to the defendant, and the defendant understands each of them.
2. The defendant understands the nature of the crimes, prior convictions, enhancements, allegations, and circumstances in aggravation listed in item 1 (on page 1) and the consequences of the plea and any admissions.
3. The defendant expressly, knowingly, understandingly, and intelligently waives the constitutional and statutory rights associated with this plea.
4. The defendant's plea, admissions, and waiver of rights are made freely and voluntarily.
5. A factual basis exists for the plea and admissions.
6.  For convictions of a sexually violent offense, the parties discussed the possibility of a disposition involving a plea to an offense that is not a sexually violent offense.

The court accepts the defendant's plea, admissions, and waiver of rights, and the defendant is hereby convicted based thereon.

It is ordered that this document be filed with the court's records of this case and that the defendant's plea, admissions, and waiver of rights be accepted and entered in the minutes of this court.

Date: \_\_\_\_\_

\_\_\_\_\_  
(SIGNATURE OF JUDICIAL OFFICER)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

14

**W25-04**

**Criminal Law: Felony Plea Form** (Revise form CR-101)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Orange County Bar Association by Mei Tsang, President	AM	<p><i>Does the proposal appropriately address the stated purpose?</i></p> <p>Yes. However the last page of the felony plea form contains “Court’s Findings and Order.” #6 adds “For convictions of a sexually violent offense, the parties discussed the possibility of a disposition involving a plea to an offense that is not a sexually violent offense.” The form appears as an “all or nothing” order of #1-6. This does not appear to give appropriate consideration of this issue. If the court is going to make that finding, this should have to be affirmative on the record. The court should at least need to initial or sign separately from #1-5. Otherwise, this will simply be a pro-forma order on every plea, whether it involves SVP consequences or not. How is a court going to make this finding? They would have to inquire on the record about this specifically. The Tahl form should have a place for the defense and prosecution to initial or sign that they discussed this.</p> <p><i>Should the committee consider a more specific advisement regarding the possibility of an indeterminate civil commitment as a sexually violent predator for defendants convicted of sexually violent offenses?</i></p> <p>Yes. The alternative advisement is more accurate. A defense lawyer should advise the defendant correctly. If an eligible charge is</p>	<p>The committee agrees, in part, and recommends modifying item 6 to add a checkbox for the judge to indicate that they made the inquiry to the parties about alternate dispositions as required by <i>In re Tellez</i>.</p> <p>The committee agrees and recommends the modified advisement.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-04**

**Criminal Law: Felony Plea Form (Revise form CR-101)**

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			being settled by plea bargain for probation, the defense lawyer should tell the client that the SVP consequence won't be triggered if the defendant never goes to prison. For the court to then give a more generic advisement on the Tahl form undermines the correct legal advice given by the defense counsel.	
2.	Superior Court of Los Angeles County by Robert Oftring, Chief Communications and External Affairs Officer	A	<p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular officer or employee.</p> <p>In response to the Judicial Council of California's "ITC W25-04: Criminal Law: Felony Plea Form," the Superior Court of California, County of Los Angeles (Court), agrees with proposal.</p> <p>The Court believes the proposal appropriately addresses the stated purpose and provides the necessary advisements on the Felony Plea form.</p> <p>In terms of advisement regarding the possibility of an indeterminate civil commitment as a sexually violent predator for defendants convicted of sexually violent offenses, the Court agrees with the proposed modified advisement. It is clear and concise, removing any legalese that may confuse a defendant.</p> <p>The Court does not believe the proposal will provide cost savings. On the contrary, this will require additional work which will translate to</p>	The committee agrees and recommends the modified advisement.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-04****Criminal Law: Felony Plea Form (Revise form CR-101)**

All comments are verbatim unless indicated by an asterisk (\*).

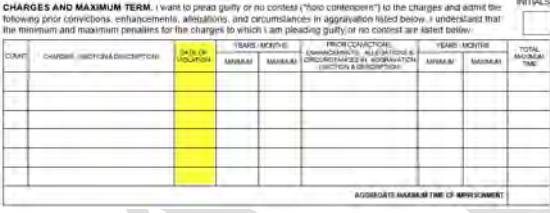
	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>additional money being spent.</p> <p>To implement the proposal, the Court would need to dedicate resources to modify its case management system. Additionally, that will necessitate training staff. Two months should be sufficient time to implement the proposal, given the Court is already anticipating these changes.</p>	
3.	Superior Court of Orange County by Elizabeth Flores, Operations Analyst-Criminal Operations	A	<p>The Orange County Superior Court uses a local felony plea form. Should this proposal be approved, the changes would be submitted to an internal committee for review and approval. This process can take up to 4 months and occurs once a year.</p>	The committee appreciates the comment.
4.	Tamara Comfort, Program Coordinator/Specialist IMPACT Team – Criminal/Traffic Operations, Superior Court of Orange County		<p>It is respectfully requested that on page 6, #1 (Charges and maximum term), that the date of violation (DOV) be added as well. This is very critical when it comes to reporting correctly to the Department of Justice and the California Department of Motor Vehicles. There can be multiple dates of violation depending on the situation. This will require prosecution and defense to validate the dates that are on the charging document. For instance, the court will be going into a new year, where there may be cases where the defendant had the offense in January of 2024, however, the year will be incorrectly filed on the new charging document as 2025 or even an amended charging document as well. The factual basis can vary as well when it comes to dates of violation, this will also assist with the accuracy of the court's minutes. Not that this will prevent all errors,</p>	The committee does not recommend including a date of violation column on the form due to concerns about increased workload and the utility of the column.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-04**

**Criminal Law: Felony Plea Form** (Revise form CR-101)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>but it will assist with making sure to the best of all our abilities that we are as accurate as possible and that we are reporting the correct information to the various agencies.</p> <p>Example:</p> 	
5.	<p>Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) by TCPJAC/CEAC Joint Rules Subcommittee (JRS)</p>	A	<p>The JRS notes that the proposal is required to conform to a change of law.</p> <p>The JRS also notes the following impact to court operations:</p> <ul style="list-style-type: none"> <li>• Impact on existing automated systems. <ul style="list-style-type: none"> <li>○ To implement the proposal, the Court would need to dedicate resources to modify its case management system.</li> </ul> </li> <li>• Results in additional training, which requires the commitment of staff time and court resources. Increases staff workload <ul style="list-style-type: none"> <li>○ We do not believe the proposal will provide cost savings. On the contrary, this will require additional work which will translate to additional money</li> </ul> </li> </ul>	The committee appreciates the comment.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-04**

**Criminal Law: Felony Plea Form (Revise form CR-101)**

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>being spent. Additionally, that will necessitate training staff.</p> <p><b>Specific Proposal Questions and Responses</b></p> <ol style="list-style-type: none"> <li>1. <i>Does the proposal appropriately address the stated purpose?</i> <ol style="list-style-type: none"> <li>a. The proposal appropriately addresses the stated purpose and provides the necessary advisements on the Felony Plea form.</li> </ol> </li> <li>2. <i>Should the committee consider a more specific advisement regarding the possibility of an indeterminate civil commitment as a sexually violent predator for defendants convicted of sexually violent offenses?</i> <ol style="list-style-type: none"> <li>a. In terms of advisement regarding the possibility of an indeterminate civil commitment as a sexually violent predator for defendants convicted of sexually violent offenses, we agree with the proposed modified advisement. It is clear and concise, removing any legalese that may confuse a defendant.</li> </ol> </li> <li>3. <i>Would the proposal provide cost savings? If so, please quantify.</i> <ol style="list-style-type: none"> <li>a. We do not believe the proposal will provide cost savings. On the contrary, this will require additional</li> </ol> </li> </ol>	<p>The committee agrees and recommends the modified advisement.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated



**W25-04**

**Criminal Law: Felony Plea Form (Revise form CR-101)**

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>work which will translate to additional money being spent.</p> <p>4. <i>What would the implementation requirements be for courts?</i></p> <p>a. To implement the proposal, courts would need to dedicate resources to modify case management systems. Additionally, that will necessitate training staff.</p> <p>5. <i>Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i></p> <p>a. Two months should be sufficient time to implement the proposal.</p>	

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** 3/13/2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Criminal Law: New Postconviction Retail Crime Restraining Order

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*  
Adopt form CR-164

*Committee or other entity submitting the proposal:*  
Criminal Law Advisory Committee

*Staff contact (name, phone and email):* Sarah Fleischer-Ihn, 415-865-7702, sarah.fleischer-ihn@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): 10/22/24

Project description from annual agenda: The committee will develop new forms to implement AB 3209 (Stats. 2024, ch. 169), which allows a court to order defendants convicted of specified theft offenses or persons arrested for specified theft offenses to stay away from a protected retail establishment for up to two years.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*  
AB 3209 went into effect on January 1, 2025, so this form is urgently needed to implement new law.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

The Civil and Small Claims Advisory Committee is recommending adoption of a set of civil forms to implement arrest-based petitions under AB 3209.

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) 2/11/2025

approved by Office Director (or Designee) (name) Francine Byrne  
on (date) 2/3/2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:*

For business meeting on April 25, 2025

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Title	Report Type
Criminal Law: New Postconviction Retail Crime Restraining Order	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Adopt form CR-164	July 1, 2025
Recommended by	Date of Report
Criminal Law Advisory Committee Hon. Lisa Rodriguez, Chair	February 18, 2025
	Contact
	Sarah Fleischer-Ihn, 415-865-7702 <a href="mailto:sarah.fleischer-ihn@jud.ca.gov">sarah.fleischer-ihn@jud.ca.gov</a>

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### Executive Summary

Penal Code section 490.8, effective January 1, 2025, allows a court to prohibit a defendant convicted of specified offenses from entering the premises of a protected retail establishment for up to two years. To implement this new statute, the Criminal Law Advisory Committee recommends a new retail crime restraining order for court use.

### Recommendation

The Criminal Law Advisory Committee recommends that the Judicial Council, effective July 1, 2025, adopt *Retail Crime Restraining Order—Criminal* (form CR-164).

The proposed form is attached at pages 5–7.

### Relevant Previous Council Action

Because this form implements new law, there is no relevant previous council action.

## Analysis/Rationale

Penal Code section 490.8<sup>1</sup> authorizes courts to order defendants convicted of specified offenses<sup>2</sup> or persons arrested for specified offenses<sup>3</sup> to stay away from a protected retail establishment for up to two years. (Pen. Code, § 490.8.) Additionally, if the retail establishment is part of a chain or franchise, the court may include other retail establishments in that chain or franchise within a specified geographic range in the order. (Pen. Code, § 490.8(c)(2).)

The orders must be entered into the California Law Enforcement Telecommunications System (CLETS) and included in the California Restraining and Protective Order System, similar to other protective orders. (Fam. Code, § 6380(b).) The Judicial Council may prescribe the form of the petitions and orders and any other documents, and may promulgate any rules of court necessary for implementation. (Pen. Code, § 490.8(j)). Since the retail crime restraining order must be entered into CLETS, the committee determined that the statutory requirements would be best implemented through a protective order form.

*Retail Crime Restraining Order—Criminal* (form CR-164) identifies the restrained person, the name and address of the protected retail establishment and any additional protected establishments within California in the same chain or franchise, the order's expiration date, information about the hearing, and whether the restrained person attended the hearing; if the restrained person did not attend the hearing, the form states that the person must be personally served. It also directs the restrained person not to enter any named retail establishment, be present on the grounds of any named retail establishment, or be present in any parking lot next to and used for any named retail establishment. It includes an advisement that not obeying the order may result in arrest, charges, and imprisonment for up to six months. Finally, similar to other protective orders, the order provides instructions for law enforcement about enforcing the order, and the footer includes the three-digit CLETS order type.<sup>4</sup>

## Policy implications

The form implements legislative changes. Accordingly, the key policy implications are ensuring that council rules and forms correctly reflect the law. These revisions are therefore consistent with the *Strategic Plan for California's Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

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<sup>1</sup> Added by Assembly Bill 3209 (Stats. 2024, ch. 169).

<sup>2</sup> These offenses are shoplifting (Pen. Code, § 459.5); any theft, including a violation of Penal Code section 487 or 488, from a retail establishment; organized retail theft (Pen. Code, § 490.4); vandalism of a retail establishment (Pen. Code, § 594); or any assault or battery of a retail establishment employee, including a violation of Penal Code section 240, 242, or 245.

<sup>3</sup> The Judicial Council's Civil and Small Claims Advisory Committee is recommending new forms to implement procedures for arrest-based retail crime restraining orders under Penal Code section 490.8(e).

<sup>4</sup> The CLETS order type is a three-digit identifier that is provided by the Department of Justice for every protective order type issued in California.

## Comments

The proposal circulated for comment from December 6, 2024, to January 6, 2025. Four comments were received. Two commenters—the Superior Court of Los Angeles and the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee—agreed with the proposal. Two other commenters—the Superior Court of Orange County and the Orange County Bar Association (OCBA)—agreed if it were modified. The committee agreed with the proposed modification suggested by OCBA to add an option that the defendant stay away from all stores within the county (Item 3). The committee declined to implement a change requested by the Superior Court of Orange County to add a description about whether the retail establishment is located within a mall or shopping plaza. The committee appreciates the time taken to respond to this proposal. All comments received, and the committees’ responses, are provided in the attached chart of comments at pages 8–12.

## Alternatives considered

The committee considered whether to add the retail crime restraining order provisions to the existing *Criminal Protective Order—Other Than Domestic Violence* (form CR-161) but determined that many of the items on that order, such as firearm prohibitions and items intended for protecting people, would not apply to persons subject to a retail crime restraining order and that the inclusion of the retail crime restraining order provisions would likely be confusing.

The committee also considered developing a restraining order with the Civil and Small Claims Advisory Committee that could be used in either a criminal or civil case, because the orders are generally the same in either type of case. However, the committees concluded that separate orders would be clearer and more useful and that a joint order could present challenges for entering information into CLETS.

## Fiscal and Operational Impacts

The fiscal and operational impacts of this proposal are largely attributable to legislation. Expected costs include staff training, case management system updates, and the production of new forms. Additionally, courts that enter their own CLETS data may have an additional increase in workload.

## Attachments and Links

1. Form CR-164, at pages 5–7
2. Chart of comments, at pages 8–12
3. Link A: Pen. Code, § 490.8,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=490.8.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=490.8.&lawCode=PEN)
4. Link B: Assem. Bill 3209 (Stats. 2024, ch. 169),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB3209](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB3209)

Clerk stamps date here when form is filed.

02/13/2025  
DRAFT  
Not approved by  
the Judicial Council

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:**

**1 Criminal Restraining Order**

This is a postconviction criminal restraining order issued under Penal Code section 490.8(a).

**2 Restrained Person**

*(Information that has a star (\*) next to it is required to add this order into the California Restraining and Protective Order System. Please provide all known information.)*

\*Name: \_\_\_\_\_

\*Gender:  M  F  Nonbinary      \*Race: \_\_\_\_\_

\*Date of Birth: \_\_\_\_\_      Age: \_\_\_\_\_

Height: \_\_\_\_\_      Weight: \_\_\_\_\_

Hair Color: \_\_\_\_\_      Eye Color: \_\_\_\_\_

**3 Protected Retail Establishment**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Additional addresses: The court finds that the retail establishment is part of a chain or franchise and includes the following additional establishments in the state of California and (*choose one*):  within the County of \_\_\_\_\_ or  within \_\_\_\_\_ miles of the address above (*list additional establishments and addresses*):

**4 Expiration Date**

This order expires on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_  a.m.  p.m.  midnight

If no expiration date is written here, this Order expires two years from the date of issuance.

**5 Hearing**

This proceeding was heard on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_

in Dept.: \_\_\_\_\_ by (*judicial officer*): \_\_\_\_\_

**6 Service**

- a. The restrained person personally attended the hearing. No other proof of service is needed.
- b. The restrained person did not attend the hearing. Law enforcement or someone who is at least 18 years old and not a party to the action must personally serve a copy of this Order on the restrained person.

**This is a Court Order.**



**7 Stay-Away Order**

The restrained person must not:

- Enter any retail establishment named in ③.
- Be present on the grounds of any retail establishment named in ③.
- Be present on any parking lot next to and used for any retail establishment named in ③.

Not obeying this order can result in being arrested and charged with a crime and can include up to six months in jail.

**8** Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*

**This is a Court Order.**





**Instructions for Law Enforcement****Enforcing the Restraining Order**

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing (see ⑥), the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

**Start Date and End Date of Orders**

This Order *starts* on the date next to the judge's signature on page 2 and *ends* on the expiration date in ④ on page 1.

**Notice/Proof of Service**

The law enforcement officer must first determine if the restrained person had notice of the order. If notice cannot be verified, the officer must advise the restrained person of the terms of the order and then enforce it. (Fam. Code, § 6383(e).)

Consider the restrained person served (given notice) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the hearing or was informed of the order by an officer. An officer can obtain information about the contents of the order and proof of service in CARPOS.

**Conflicting Orders—Priorities for Enforcement**

**If more than one restraining order has been issued protecting the protected party from the restrained person, the orders must be enforced in the following priority** (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *Emergency Protective Order (EPO)*: If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. *No-Contact Order*: If a restraining/protective order includes a no-contact order, the no-contact order must be enforced.
3. *Criminal Protective Order (CPO)*: If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. *Civil Restraining Orders*: If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment, retail crime), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

Clerk's Certificate  
[seal]

(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Retail Crime Restraining Order—Criminal* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**



**W25-05****Criminal Law: New Postconviction Retail Crime Restraining Order** (Adopt form CR-164)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Orange County Bar Association by Mei Tsang, President	AM	<p><i>Does the proposal appropriately address the stated purpose:</i></p> <p>Yes. However, under #3 please consider if there should be an option to restrain by County rather than by number of miles from a particular address. By county would give clearer direction to the restrained person.</p>	The committee agrees and will modify item 3 to add an option to order the defendant to stay away from all stores in the county.
2.	Superior Court of Los Angeles County by Robert Oftring, Chief Communications and External Affairs Officer	A	<p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular officer or employee.</p> <p>In response to the Judicial Council of California’s “ITC W25-05: Criminal Law: New Postconviction Retail Crime Restraining Order,” the Superior Court of California, County of Los Angeles (Court), agrees with proposal.</p> <p>The Court believes the proposal appropriately addresses the stated purpose and provides a solution to the Postconviction Restraining Order.</p> <p>The Court does not believe the proposal will provide cost savings. On the contrary, this will require additional work which will translate to additional money being spent.</p> <p>To implement the proposal, the Court would need to dedicate resources to modify its case management system. Additionally, that will</p>	The committee appreciates the comments.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-05****Criminal Law: New Postconviction Retail Crime Restraining Order** (Adopt form CR-164)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>necessitate training staff on the new changes. Two months from Judicial Council approval of the proposal should be sufficient time to implement given the Court is already anticipating these changes.</p>	
3.	<p>Superior Court of Orange County by Elizabeth Flores, Operations Analyst-Criminal Operations</p>	AM	<p><i>1. Does the proposal appropriately address the stated purpose?</i></p> <p>Yes. It would be beneficial to receive clarification when the retail establishment is in a mall or plaza.</p> <p><i>2. Would the proposal provide cost savings? If so, please quantify.</i></p> <p>No, this will require ordering of additional protective order forms for all criminal courtrooms.</p> <p><i>3. What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</i></p>	<p>The committee appreciates the comments.</p> <p>The committee declines the suggestion to add whether the retail establishment is in a mall or plaza. The committee thought it would be confusing to reference some, but not all, types of retail spaces, and that the information may not be helpful since the statute does not require the restrained person to stay away from a mall or plaza in which a protected retail establishment is located.</p> <p>No further response required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-05**

**Criminal Law: New Postconviction Retail Crime Restraining Order** (Adopt form CR-164)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>Docket codes and procedures have been created to support this process using a workaround (use of form CR-161 per JCC)</p> <p>Staff procedures would need to be updated to reflect the new form. Stakeholders would need to be advised of the change to ensure they use the proper form. A 1-hour training for Clerk’s Office and Courtroom Clerk staff may be necessary.</p> <p><i>4. Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i></p> <p>Yes.</p> <p><i>5. How well would this proposal work in courts of different sizes?</i></p> <p>N/A</p>	<p>No further response required.</p>
4.	<p>Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) by TCPJAC/CEAC Joint Rules Subcommittee (JRS)</p>	A	<p>The JRS notes that the proposal clearly communicates information to the restrained person as well as law enforcement for the purposes of facilitating enforcement of AB 3209.</p> <p>The JRS also notes the following impact to court operations:</p> <ul style="list-style-type: none"> <li>• Results in additional training, which requires the commitment of staff time and court resources.</li> </ul>	<p>The committee appreciates the comments.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-05**

**Criminal Law: New Postconviction Retail Crime Restraining Order (Adopt form CR-164)**

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<ul style="list-style-type: none"><li>○ The only training appears to be to inform court staff about the existence of Form CR-164.</li><li>● Increases staff workload.<ul style="list-style-type: none"><li>○ There is some workload increase associated with scanning and attaching forms to the court's case management system. Jurisdictions that experience higher levels of retail crime could experience varying degrees of workload increase to perform these tasks. Workload increase would also depend on whether the court enters its own CLETS data or has that work performed by a CLETS administrator (e.g., the County Sheriff). In this instance, courts will need to transmit a copy of form CR-164 to the CLETS administrator and/or make that form available through a data exchange or agency portal.</li></ul></li><li>● Impact on local or statewide justice partners.<ul style="list-style-type: none"><li>○ To the extent that another law enforcement agency enters CLETS data for the court, that agency could experience some workload increases entering data from the CR-164 form.</li></ul></li></ul>	

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-05**

**Criminal Law: New Postconviction Retail Crime Restraining Order (Adopt form CR-164)**

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			Law enforcement agencies will also need to be informed about the use of the new form along with the service requirements. While there could be some workload increases owing to administration of this new form, there could be some workload decreases if the protective order results in fewer calls out to a retail establishment if the protective order is a deterrent to the restrained person to visit the retail establishment.	

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:

**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Juvenile Law: Restitution Orders

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Amend CR-110/JV-790, CR112/JV-792

*Committee or other entity submitting the proposal:*

Family and Juvenile Law Advisory Committee

*Staff contact (name, phone and email):* Eric Divine, 415-865-4903, eric.divine@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): 10/22/2024

Project description from annual agenda: AB 1186 (Bonta) Restitution fines (Stats. of 2024, Ch. 805)

Removes the requirement that a minor adjudged to be a ward of the court pay a restitution fine and makes the outstanding balance of any restitution fines unenforceable and uncollectible 10 years after the fine imposition date. Requires minors to be held severally liable for victim restitution purposes and prohibits a minor from being held jointly and severally liable as a co-offender and provides that total liability may not exceed 100 percent.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

Implementation of legislative change which became effective January 1, 2025

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

N/A

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) 2/14/2025

approved by Office Director (or Designee) (name) Audrey Fancy  
on (date) 2/19/2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

(11/1/24)

- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.





# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:* 25-071

For business meeting on April 25, 2025

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Title	Report Type
Juvenile Law: Restitution Orders	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise forms CR-110/JV-790 and CR-112/JV-792	July 1, 2025
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	February 19, 2025
Hon. Tari L. Cody, Cochair	Contact
Hon. Stephanie E. Hulsey, Cochair	Eric Divine, 415-865-4903 <a href="mailto:eric.divine@jud.ca.gov">eric.divine@jud.ca.gov</a>

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### Executive Summary

Assembly Bill 1186 (Bonta; Stats. 2024, ch. 805) amended provisions of the Penal Code and the Welfare and Institutions Code regarding restitution liability in criminal and juvenile court, including eliminating joint and several liability for co-offending children in juvenile delinquency cases. The Family and Juvenile Law Advisory Committee recommends revising the restitution order and instructions forms to delete joint and several liability for juvenile co-offenders, address restitution apportionment in juvenile court orders, and clarify the liability of who may be ordered to pay restitution in criminal and juvenile proceedings. In addition, the committee recommends revisions to allow for use of the order when a child under informal supervision has agreed to restitution.

### Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve revisions to *Order for Victim Restitution* (form CR-110/JV-790) and *Instructions: Order for Victim Restitution* (form CR-112/JV-792) to conform to statutory amendments and anticipated use cases, effective July 1, 2025.

The revised forms are attached at pages 7–10.

### **Relevant Previous Council Action**

No previous council action on these forms has bearing on the current recommendations. Most recently, effective January 1, 2023, *Order for Victim Restitution* (form CR-110/JV-790) was revised to delete a reference to administrative fees under former Penal Code section 1203.1(l), which was repealed by Assembly Bill 177 (Stats. 2021, ch. 257), and add mental health counseling fees as a restitution category under Penal Code section 1202.4(f)(3)(C). *Instructions: Order for Victim Restitution* (form CR-112/JV-792) was revised to reflect those changes to the order form.

### **Analysis/Rationale**

Welfare and Institutions Code section 730.6<sup>1</sup> governs the imposition of restitution when a juvenile court determines that a child has broken California law and the conduct has resulted in an economic loss to a victim. Section 730.6 previously required courts to identify any co-offenders who were jointly and severally liable. AB 1186, effective January 1, 2025, modified section 730.6, in part, as follows: “For the purposes of victim restitution, each minor shall be held severally liable, and shall not be held jointly and severally liable as co-offenders. The court shall apportion liability based on each minor’s percentage of responsibility or fault for all economic losses included in the order of restitution. The aggregate amount of apportioned liability for all minors involved shall not exceed 100 percent in total.” (§ 730.6(b)(3).)

AB 1186 requires no changes to the forms for use in criminal court; the committee consulted the Criminal Law Advisory Committee regarding the proposed minor technical changes applicable in criminal court proceedings.

### **Revisions to forms**

To implement AB 1186, the Family and Juvenile Law Advisory Committee recommends revising *Order for Victim Restitution* (form CR-110/JV-790) and *Instructions: Order for Victim Restitution* (form CR-112/JV-792) to reflect the change to joint and several liability for juvenile co-offenders, address apportionment of liability in juvenile cases, and clarify the differences in liability for parents, guardians, and co-offenders in juvenile court and criminal court. In addition, the committee recommends adding check boxes under the title of the order form in the caption to indicate whether the order is original or amended and adding a new item to allow use of the form in juvenile informal supervision cases under section 654.2. The instructions form would be revised to reflect these changes.

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<sup>1</sup> All further unspecified statutory references are to the Welfare and Institutions Code.

### **Order for Victim Restitution (form CR-110/JV-790)**

Item 1 of this form currently allows the court to specify whether the restitution order is being applied to a criminal defendant or a child in juvenile court and whether any parents or guardians or any co-offenders are jointly and severally liable.

The committee recommends reorganizing item 1 into items 1a and 1b to separate provisions relating to criminal proceedings, which can include joint and several liability for co-offenders, from those relating to juvenile proceedings, which can include joint and several liability for parents or guardians but can no longer include joint and several liability for co-offenders. Item 1b is further divided with a checkbox in item 1b(1) for a proceeding in which the child was determined to have broken California law and a checkbox in item 1b(2) for an informal supervision case in which the child has entered into an agreement to pay restitution under section 654.2 and for any unpaid restitution to be converted to a civil judgment. This addition would make the form applicable to a wider range of cases.

The proposed revisions to item 1b for juvenile court proceedings include space for stating the percentage of total liability for the child, apportionment among co-offenders, and identifying co-offenders through initials for first and last names, case numbers, and counties where those cases are being heard. The revisions make clear that the total amount of the child's liability and the total amount for which any parents or guardians are jointly and severally liable is the amount of restitution ordered in item 3.

The committee recommends adding checkboxes under the title of the form to indicate whether the order is original or amended. Cases with co-offenders may require a restitution order to be amended to keep the amount of restitution owed to a victim at 100 percent, and the ability to use this form for modified orders would make this process more efficient.

The committee recommends adding a statement in the notice box that if liability in juvenile court is apportioned, the aggregate amount for all juveniles cannot exceed 100 percent. Under section 730.6, this is now how juvenile restitution functions, and the committee believes this statement would be helpful to those who use this form.

The committee also recommends updating the citations in the footer of the first page.

### **Instructions: Order for Victim Restitution (form CR-112/JV-792)**

The committee recommends revising this form to conform to proposed changes on the order form. The instructions form now includes a new item explaining the checkboxes in the caption, revised instructions for item 1, and relettering of the items owing to the inclusion of the new item.

### **Policy implications**

To the extent this recommendation has policy implications, they all can be attributed to the legislation. These recommended forms will implement and facilitate the legislative changes.

## Comments

The proposal was circulated for comment in the winter invitation-to-comment cycle, from December 2024 to January 2025. Nine comments were received: four from superior courts, one from a local bar association, one from the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee, one from the Office of Youth and Community Restoration, one from a district attorney office, and one from a member of the public. Eight commenters agreed with the proposal if it were modified, and one did not agree. The committee thanks all commenters and appreciates the time taken to respond to this proposal. A comment chart with the full text of comments received is attached at pages 11–23.

### *Inclusion of informal supervision restitution*

The Joint Rules Subcommittee (JRS) of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee requested additional analysis on allowing use of the order form in informal supervision cases. The JRS cited concerns with allowing a civil judgment for restitution to be imposed on youth who have not been adjudicated wards; that section 730.6 does not apply to juveniles who have not been adjudicated; and that a civil judgment is arguably inconsistent with the purpose behind informal supervision.

The committee discussed these issues, acknowledging the benefits of informal supervision and that section 730.6 by its terms does not apply to youth not found to be wards. However, the committee concluded that, under particular circumstances, restitution orders *can* be compatible with informal supervision. In *In re K.C.* (2013) 220 Cal.App.4<sup>th</sup> 465, a section 602 petition was filed after a minor threw items from a bus at oncoming traffic, breaking a windshield and injuring a driver. The court found the minor eligible for informal supervision and the minor and his parents agreed to various conditions including restitution orders that were “to remain in effect until paid in full” under sections 730.6 and 730.7. (*Id.* at p. 468.) Following the minor’s completion of the supervisory conditions of his informal supervision, the court requested briefing on whether it could convert the restitution order to a civil judgment under section 730.6. Following briefing and argument, the court terminated informal supervision, dismissed the petition, and converted the balance of restitution converted to a civil judgment under section 730.6. (*Id.* at p. 470.)

In the Court of Appeal, the minor argued that the trial court erred in converting the restitution order to a civil judgment under section 730.6 because the minor was not adjudicated a ward. The appellate court agreed that section 730.6 was not applicable and that the trial court was not authorized under that section to convert restitution to a civil judgment. (*Id.* at p. 471.) However, this did not end the court’s analysis. Informal supervision requires the consent of the minor and the minor’s parents or guardian. In *K.C.*, the minor and his parents agreed that, in exchange for informal supervision and to avoid an adjudication, the order of restitution would remain in effect until paid in full under section 730.6 and would not be discharged upon termination. “In so doing,” the Court of Appeal stated, “the minor consented to an act in excess of the court’s jurisdiction.” (*Id.* at p. 472.) The court then considered estoppel, whether the minor was estopped to challenge the trial court’s action to which he had agreed. The court concluded that the minor

was not prejudiced by his consent, but rather that he benefited from participation in informal supervision, avoiding further involvement in the juvenile justice system. Public policy considerations—the rehabilitative and deterrent effects of requiring a minor to pay restitution—supported allowing the minor’s agreement to stand. Finally, the court noted, “permitting the minor to challenge the agreement after having obtained its benefit would allow him to ‘trifle with the court.’” (*Id.* at p. 473.)

In the committee’s experience, informal supervision often involves agreements of the parties that restitution orders can be converted to civil judgments. Including informal supervision cases will allow juvenile courts to use the form in these cases where appropriate. Based on the reasoning of *K.C.*, the committee recommends allowing use of the order form in informal supervision cases where the minor and the minor’s parents or guardians have expressly agreed that a restitution order can be converted to a civil judgment. In response to the comment from the JRS, the committee has modified the form to more narrowly allow its use in informal supervision cases where the minor “has agreed that this restitution order could be converted to a civil judgment under Welfare and Institutions Code section 730.6 as a term of informal supervision under Welfare and Institutions Code section 654.2.”

#### ***Combined or separate forms***

In response to a specific request for feedback, the committee received several comments regarding whether form CR-110/JV-790 should remain a combined form for use in both criminal and juvenile court or be separated into two different forms. Four of the six comments that addressed this question were in support of keeping the forms combined, as the combined form addresses the legislative changes and splitting the forms is unnecessary. The committee recommends keeping the forms combined at this time for efficiency and is open to consideration of splitting the form in the future.

#### ***Documentation of original or modified order***

Also in response to a specific question posed in the invitation to comment, the committee received multiple responses regarding whether there should be a way to indicate that a restitution order is original or modified. All six comments that addressed this question supported adding checkboxes to the caption to indicate whether an order was original or modified. The committee has adopted this suggestion by adding boxes under the title of the form and recommends using “amended” instead of “modified” with a space to indicate how many times the order has been amended.

#### ***Identification of co-offenders***

The committee also received several responses to its question regarding whether it would be beneficial to include space for identification of juvenile co-offenders by name on form CR-110/JV-790. Of the seven comments that addressed this question, five supported having a method to identify co-offenders and one opposed. The comment in opposition was simply “no” to the direct question about whether co-offenders’ names should be listed. The committee recommends identifying co-offenders by initials, case number, county, and percent

apportionment to facilitate communication between judicial officers in the same and different counties, clarify co-offender liability, and protect a juvenile co-offender’s confidentiality.

### **Alternatives considered**

The committee considered developing a separate restitution order form for use in juvenile court only and requested specific feedback on whether separate forms should be developed in the future. The majority of the feedback supported keeping the forms combined.

The committee noted that restitution can be apportioned among co-offenders, and there may be circumstances in which restitution orders against co-offenders are made by different judicial officers at different times. As a result of this discussion and the feedback received from public comments, the committee added spaces for juvenile co-offender cases to be identified by case number and initials of the co-offender’s name to protect confidentiality.

As discussed above, the committee also considered options to indicate a modified order. With apportionment of liability rather than joint and several liability for juvenile co-offenders, the committee expects more modified restitution orders to be filed in juvenile cases. One way to distinguish an original order from a modified order would be to add checkboxes under the title of the order form in the caption. The committee also considered creating a separate form for ordering modifications. The feedback received on whether it is beneficial to indicate a modified order was unanimously in support of adding checkboxes. Upon further discussion, the committee recommended using “amended” instead of “modified” with a space to indicate how many times the order has been amended.

The committee did not consider the alternative of taking no action to revise the restitution order form and its accompanying instructions form because the current forms include joint and several liability for co-offending children and are incorrect under current law.

### **Fiscal and Operational Impacts**

The proposed forms should not have a significant fiscal or operational impact on the courts. They are intended to provide updated guidance and information to the court and parties.

The trial courts will incur ongoing costs to print, copy, and provide the mandated forms. The Spanish translation of form CR-112/JV-792 will need to be updated. There may also be changes required to case management systems. These costs, however, are expected to be minimal.

Juvenile courts will need to provide education and training for judicial officers and court staff on the changes to the forms.

### **Attachments and Links**

1. Forms CR-110/JV-790 and CR-112/JV-792, at pages 7–10
2. Chart of comments, at pages 11–24
3. Link A: Assem. Bill 1186 (Stats. 2024, ch. 805),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB1186](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1186)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b> <b>CR-110/JV-790.v25.021925.jh</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<b>ORDER FOR VICTIM RESTITUTION</b> <input type="checkbox"/> Original <input type="checkbox"/> Amended Order	CASE NUMBER:

Please read *Instructions: Order for Victim Restitution* (form CR-112/JV-792) for help with completing this form.

1. Choose a or b and provide the information requested.

a.  Criminal court proceeding

On (date): \_\_\_\_\_, defendant (name): \_\_\_\_\_  
 was convicted of a crime that entitles the victim to restitution.

Adult codefendants found jointly and severally liable (name each):

b.  Juvenile court proceeding (choose (1) or (2) and provide information requested):

(1)  On (date): \_\_\_\_\_, child (name): \_\_\_\_\_ was found to  
 be a person described in Welfare and Institutions Code section 602, which entitles the victim to restitution (check all  
 that apply):

(A)  Wardship is terminated.

(B)  Parents or guardians are jointly and severally liable with the child for the amount in 3 (name each):

(C)  Adult codefendants found jointly and severally liable (name each):

(D)  The child is one of two or more co-offenders among whom liability is apportioned. The child is \_\_\_\_\_ percent  
 responsible. The total amount of the child's liability is the amount in 3.

(E)  The following are juvenile co-offender cases:

	Child's Initials	Case Number	County (if known)	% Apportionment (if known)
1.				
2.				
3.				
4.				
5.				
6.				

(2)  On (date): \_\_\_\_\_, child (name): \_\_\_\_\_  
 agreed that this restitution order could be converted to a civil judgment under Welfare & Institutions Code  
 section 730.6 as a term of informal supervision under Welfare & Institutions Code section 654.2.

2. Evidence was presented that the victim named below suffered losses as a result of defendant's/child's conduct. Defendant/child was informed of the right to a judicial determination of the amount of restitution and

a.  a hearing was conducted.

b.  stipulated to the amount of restitution to be ordered.

c.  waived a hearing.

CASE NAME:

CASE NUMBER:

3. **THE COURT ORDERS** defendant/child to pay restitution to

- a.  the victim (*name*): \_\_\_\_\_ in the amount of: \$ \_\_\_\_\_
- b.  the California Victim Compensation Board, to reimburse payments to the victim from the Restitution Fund, in the amount of: \$ \_\_\_\_\_
- c.  plus interest at 10 percent per year from the date of  loss **or**  sentencing.
- d.  plus attorney fees and collection costs in the sum of: \$ \_\_\_\_\_

## 4. The amount of restitution includes

- a.  the value of property stolen or damaged.
- b.  medical expenses.
- c.  mental health counseling expenses.
- d.  lost wages or profits
- (1)  incurred by the victim due to injury.
  - (2)  of the victim's parent(s) or guardian(s) (if victim is a child) incurred while caring for the injured child.
  - (3)  incurred by the victim due to time spent as a witness or in assisting police or prosecution.
  - (4)  of the victim's parent(s) or guardian(s) (if victim is a child) due to time spent as a witness or in assisting police or prosecution.
- e.  noneconomic losses (felony violations of Pen. Code, §§ 288, 288.5, and 288.7 only).
- f.  Other (*specify*): \_\_\_\_\_

Date:

\_\_\_\_\_  
JUDICIAL OFFICER**NOTICE TO VICTIMS**

**PENAL CODE SECTION 1214 PROVIDES THAT ONCE A DOLLAR AMOUNT OF RESTITUTION HAS BEEN ORDERED, THE ORDER IS THEN ENFORCEABLE AS IF IT WERE, AND IN THE SAME MANNER AS, A CIVIL JUDGMENT. ALTHOUGH THE CLERK OF THE COURT IS NOT ALLOWED TO GIVE LEGAL ADVICE, YOU ARE ENTITLED TO ALL RESOURCES AVAILABLE UNDER THE LAW TO OBTAIN OTHER INFORMATION TO ASSIST IN ENFORCING THE ORDER.**

**THIS ORDER DOES NOT EXPIRE UNDER PENAL CODE SECTION 1214(d).**

**YOU MUST FILE A SATISFACTION OF JUDGMENT WITH THE COURT WHEN THIS ORDER IS SATISFIED, AS REQUIRED BY PENAL CODE SECTION 1214(b).**

**YOU ARE ENTITLED TO A CERTIFIED COPY OF THIS ORDER UPON REQUEST, AS REQUIRED BY PENAL CODE SECTION 1214(b) AND WELFARE AND INSTITUTIONS CODE SECTION 730.7(c).**

**UNDER WELFARE AND INSTITUTIONS CODE SECTION 730.6(b)(3), YOU ARE ENTITLED TO RESTITUTION UP TO 100 PERCENT OF THE MONEY YOU LOST OR HAD TO SPEND AS A RESULT OF THE OFFENSE; IF LIABILITY FOR RESTITUTION IN JUVENILE COURT IS APPORTIONED, THE AGGREGATE AMOUNT FOR ALL CHILDREN INVOLVED CANNOT EXCEED 100 PERCENT.**



**DRAFT Not approved by the Judicial Council CR-112/JV-792.v22.022425.jh CR-112/JV-792  
INSTRUCTIONS: ORDER FOR VICTIM RESTITUTION**

**A. Attorney or Party Without Attorney**

Write the name of your attorney. If you are representing yourself, your name goes here.

**B. Telephone Number**

Your telephone number goes here. You may also give a number where the court can leave a message for you.

**C. Fax Number**

You may write in your fax number here or you may leave this line blank.

**D. Email Address**

You may write in your email address here or you may leave this line blank.

**E. Name and Address of Court**

Ask the clerk of your court for this information, including the court's address.

**F. Case Name**

Use the assigned case name. Example: *In re John D.* or *People of the State of California v. Doe.*

**G. Original or Amended Order**

Check Original if this is the first order for the defendant or offender, otherwise check Amended Order and write how many times the Order has been amended in the blank. For example, 1 if this is the first Amended Order.

**H. Case Number**

Write the assigned case number in this space. You need to write this number at the top of every page of this form.

**I. For Court Use Only**

Leave blank. After this form is filed, the clerk will stamp this box on the copies so everyone knows they are copies of an official court document.

**J. Order for Restitution**

This section must be completed by either you or the court. A separate order and abstract of judgment should be completed for each defendant or child found to have committed an offense.

Item a. If the person was convicted in criminal court, check this box and write in the date of the defendant's conviction and the defendant's name. If adult co-defendants were found jointly and severally liable, write their names in the space provided.

Item b. If the person was a child in juvenile court, check this box and write in the child's name and the date of the hearing.

Item b(1). If the child was adjudicated a ward under Welfare and Institutions Code section 602, check this box. If wardship is terminated, check (A). If parents or guardians were found jointly and severally liable with the child, check (B) and write their names in the space provided. If an adult was found jointly and severally liable, check (C) and write their names in the space provided. If more than one child is responsible for the victim's damages and the court assigns a percentage of liability to the child in this case, check (D) and write in the percentage assigned to the child in this case. If there are co-offenders, check (E) and write the initials of any known co-offender's name and case number. If a co-offender case is in a different county, write the county, if known. If a court has apportioned a percentage of liability to this co-offender, write it if known.

Item b(2). If the court and the child agreed to have a restitution order which could be converted to a civil judgment as a term of their informal supervision, check this box.

**CR-112/JV-792**

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME, FIRM NAME, STREET ADDRESS, CITY, TELEPHONE NO., EMAIL ADDRESS, ATTORNEY FOR (NAME)

STATE BAR NO. STATE, ZIP CODE, FAX NO.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF: STREET ADDRESS, MAILING ADDRESS, CITY AND ZIP CODE, BRANCH NAME

CASE NAME

ORDER FOR VICTIM RESTITUTION:  Original  Amended Order

CASE NUMBER

Please read Instructions: Order for Victim Restitution (form CR-112/JV-792) for help with completing this form.

1. Choose a or b and provide the information requested.

a.  Criminal court proceeding  
On (date) \_\_\_\_\_, defendant (name) \_\_\_\_\_ was convicted of a crime that entitles the victim to restitution.  
 Adult codefendants found jointly and severally liable (name each): \_\_\_\_\_

b.  Juvenile court proceeding (choose (1) or (2) and provide information requested):

(1)  On (date) \_\_\_\_\_, child (name) \_\_\_\_\_ was found to be a person described in Welfare and Institutions Code section 602, which entitles the victim to restitution (check all that apply):  
(A)  Wardship is terminated.  
(B)  Parents or guardians are jointly and severally liable with the child for the amount in 3 (name each): \_\_\_\_\_  
(C)  Adult codefendants found jointly and severally liable (name each): \_\_\_\_\_  
(D)  The child is one of two or more co-offenders among whom liability is apportioned. The child is \_\_\_\_\_ percent responsible. The total amount of the child's liability is the amount in 3.  
(E)  The following are juvenile co-offender cases:

Child's Initials	Case Number	County (if known)	% Apportionment (if known)
1.			
2.			
3.			
4.			
5.			
6.			

(2)  On (date) \_\_\_\_\_, child (name) \_\_\_\_\_ agreed that this restitution order could be converted to a civil judgment under Welfare & Institutions Code section 790.6 as a term of informal supervision under Welfare & Institutions Code section 654.2.

2. Evidence was presented that the victim named below suffered losses as a result of defendant's/child's conduct. Defendant/child was informed of the right to a judicial determination of the amount of restitution and:

a.  a hearing was conducted.  
b.  stipulated to the amount of restitution to be ordered.  
c.  waived a hearing.

Form Approved for Optional Use  
Judicial Council of California  
CR-112/JV-792 (Rev. July 1, 2025)

Page 1 of 2

ORDER FOR VICTIM RESTITUTION

Welfare and Institutions Code, §§ 604.2, 604.6, 792.6, 792.7, Civil Code, § 1714.1, §§22.02201

**K. Judicial Determination of Restitution**

The defendant or child has a right to a restitution hearing. The hearing can be waived if the defendant or child agrees to give up the right to have a hearing. The amount of restitution may also be stipulated if the amount of restitution to be ordered is agreed to by all parties and the judge makes an order for the amount based on an agreement by all parties. It is very important to check the appropriate boxes to indicate whether the defendant or child has had a hearing or has waived the hearing. If you do not have all of the relevant information to complete this section, then the court should complete it for you.

**L. Restitution Ordered to Pay**

- a. If the court ordered the offender to pay you, write your name as the victim and the amount of restitution ordered by the court. Make sure the amount of restitution is not left blank or "to be determined." A dollar amount must be listed for the order to be enforceable.
- b. Check this box if the court ordered the California Victim Compensation Board to receive reimbursement for funds previously paid to you or your service provider by the Restitution Fund. Make sure the amount of reimbursement is not left blank or "to be determined." A dollar amount must be listed for the order to be enforceable.

**M. Case Name and Number**

Use the case name and case number that you wrote on the front of the form.

**N. Amount of Restitution**

Check the applicable boxes 4a through 4e that specify why the restitution was ordered. Example: If the court ordered that you collect medical expenses and lost wages, check boxes 4b and 4d. If the amount of restitution includes something that is not listed, check box 4f and briefly specify what additional costs are covered.

CR-110/JV-790

(M) CASE NAME: \_\_\_\_\_ CASE NUMBER: \_\_\_\_\_

(L) → 3. THE COURT ORDERS defendant/child to pay restitution to

- a.  the victim (name): \_\_\_\_\_ in the amount of: \$ \_\_\_\_\_
- b.  the California Victim Compensation Board, to reimburse payments to the victim from the Restitution Fund, in the amount of: \$ \_\_\_\_\_
- c.  plus interest at 10 percent per year from the date of  loss or  sentencing.
- d.  plus attorney fees and collection costs in the sum of: \$ \_\_\_\_\_

(N) → 4. The amount of restitution includes

- a.  the value of property stolen or damaged.
- b.  medical expenses.
- c.  mental health counseling expenses.
- d.  lost wages or profits
  - (1)  incurred by the victim due to injury.
  - (2)  of the victim's parent(s) or guardian(s) (if victim is a child) incurred while caring for the injured child.
  - (3)  incurred by the victim due to time spent as a witness or in assisting police or prosecution.
  - (4)  of the victim's parent(s) or guardian(s) (if victim is a child) due to time spent as a witness or in assisting police or prosecution.
- e.  noneconomic losses (felony violations of Pen. Code, §§ 288, 288.5, and 288.7 only).
- f.  Other (specify): \_\_\_\_\_

Date: \_\_\_\_\_ JUDICIAL OFFICER: \_\_\_\_\_

**NOTICE TO VICTIMS**

PENAL CODE SECTION 1214 PROVIDES THAT ONCE A DOLLAR AMOUNT OF RESTITUTION HAS BEEN ORDERED, THE ORDER IS THEN ENFORCEABLE AS IF IT WERE, AND IN THE SAME MANNER AS, A CIVIL JUDGMENT. ALTHOUGH THE CLERK OF THE COURT IS NOT ALLOWED TO GIVE LEGAL ADVICE, YOU ARE ENTITLED TO ALL RESOURCES AVAILABLE UNDER THE LAW TO OBTAIN OTHER INFORMATION TO ASSIST IN ENFORCING THE ORDER.

THIS ORDER DOES NOT EXPIRE UNDER PENAL CODE SECTION 1214(d).

YOU MUST FILE A SATISFACTION OF JUDGMENT WITH THE COURT WHEN THIS ORDER IS SATISFIED, AS REQUIRED BY PENAL CODE SECTION 1214(b).

YOU ARE ENTITLED TO A CERTIFIED COPY OF THIS ORDER UPON REQUEST, AS REQUIRED BY PENAL CODE SECTION 1214(b) AND WELFARE AND INSTITUTIONS CODE SECTION 730.7(c).

UNDER WELFARE AND INSTITUTIONS CODE SECTION 730.6(b)(3), YOU ARE ENTITLED TO RESTITUTION UP TO 100 PERCENT OF THE MONEY YOU LOST OR HAD TO SPEND AS A RESULT OF THE OFFENSE; IF LIABILITY FOR RESTITUTION IN JUVENILE COURT IS APPORTIONED, THE AGGREGATE AMOUNT FOR ALL CHILDREN INVOLVED CANNOT EXCEED 100 PERCENT.

CR-110/JV-790 (Rev. July 1, 2025)  
CR-110/JV-790 (Rev. July 1, 2025)
**ORDER FOR VICTIM RESTITUTION**
Page 2 of 2  
Civ. Code, § 1114.1  
[www.courts.ca.gov](http://www.courts.ca.gov)

*Order for Victim Restitution* (form CR-110/JV-790) is the court order or judgment directing the offender to repay you for any losses that you suffered because of the offense. Once this judgment is entered in the court records, you may use it to collect the money you are owed from the offender. If the court does not give you a certified copy of the order, ask the clerk for one and check to make sure the judgment is entered. If the offender does not pay you, you have several options, including getting the offender to pay you voluntarily, getting more information about the offender, and collecting from the offender's property. If you choose to try to collect from the value of real estate owned by the offender, you will need to record an abstract of the judgment with the county recorder in the county where the property is located. For more information about this process, see *Abstract of Judgment—Restitution* (form CR-111/JV-791) and *Instructions: Abstract of Judgment—Restitution* (form CR-113/JV-793). For more information about this and other options for collecting your restitution judgment, see the Self-Help Guide to the California Courts at [selfhelp.courts.ca.gov/small-claims/after-trial/if-you-win](http://selfhelp.courts.ca.gov/small-claims/after-trial/if-you-win).

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Kelly [No other information provided]	N	I hold personal issue with this. Restitution is awarded to a victim of the crime and the persons responsible for the juvenile should be held liable for the restitution. I have never heard of outlandish awards to the victims. Most get nothing and the state collects anything and then it might be awarded to the victim and victims families.	The committee notes the commenter's disagreement with the proposal.  Parents or guardians remain jointly and severally liable for juvenile restitution. The legislation and this proposal do not impact joint and several liability for parents or guardians.
2.	Office of Youth and Community Restoration By LaRon Dennis, Special Consultant	AM	We think the proposed modifications make sense and align with the legislative changes, and the addition of a check box for Informal Supervision is a good idea.  Regarding the Committee's specific request for comments... 1) We believe it would be beneficial to separate this document into a Criminal Form and Juvenile Form.  2) If there are several co-defendants, the court would not have to list their names but could use petition numbers instead to "link" the cases. If the youth end up in different courtrooms or restitution orders are made on different dates, it	The committee agrees with including informal supervision and has modified the language on the form:  On (date): _____, child (name): _____ agreed that this restitution order could be converted to a civil judgment under Welfare & Institutions Code section 730.6 as a term of informal supervision under Welfare & Institutions Code section 654.2.  The committee appreciates this feedback, and based on all the feedback, the committee may work with the Criminal Law Advisory Committee in the future on whether separate forms would be desirable.  The committee has added a chart which allows for any known co-offender initials, case number, county of disposition, and percent of apportionment. This is to assist a victim and the

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>at least makes it easier for court staff, attorneys, and probation to still capture the cases that need to be "linked" to ensure, even without joint and several liability, victims get full 100% restitution ordered.</p>	<p>courts with information about apportionment while maintaining confidentiality.</p>
3.	<p>Orange County Bar Association By Mei Tsang, President</p>	<p>AM</p>	<ul style="list-style-type: none"> <li>• Does the proposal appropriately address the stated purpose? Yes.</li> <li>• Would it be beneficial for victims, offenders, courts, or justice partners to have separate restitution order forms for use in juvenile court and criminal court? No, this form is acceptable.</li> <li>• Is it helpful to indicate whether the order is original or a modification? If so, would check boxes or an attachment best reflect a modification? It would be helpful to have a checkbox that indicates original vs modification.</li> <li>• Should the order form include the names of co-offending children in cases involving apportionment of liability? The order could allow for the initials of co-offending children. This could protect confidentiality but also allow for clarity.</li> </ul>	<p>The committee notes the commenter’s agreement with the proposal if modified.</p> <p>The committee appreciates this feedback, and based on all the feedback, the committee may work with the Criminal Law Advisory Committee in the future on whether separate forms would be desirable.</p> <p>The committee agrees and the form has been revised to have checkboxes to indicate if an order is original or amended.</p> <p>The committee has added a chart which allows for any known co-offender initials, case number, county of disposition, and percent of</p>

**W25-06****Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
				apportionment. This is to assist a victim and the courts with information about apportionment while maintaining confidentiality.
4.	San Francisco District Attorney's Office, Juvenile Division By Julia Cervantes, Managing Attorney	AM	<p>I do think a modification form should be available as juvenile suspects can be identified later requiring a new apportionment of restitution.</p> <p>There is also the issue of adults and juvenile co-offenders. In those matters will the adult be liable for the entire victim restitution and the juveniles for only a percentage. In those matters can liability for adults and minors exceed 100 percent of the total?</p> <p>There should remain a space for the co-offenders on the order in light of possible needs to reapportion in the future and to show the sum of 100%. It also makes it more understandable to the victim.</p>	<p>The committee appreciates this feedback. The form has been revised to have checkboxes to indicate whether an order is original or amended.</p> <p>The legislation and this proposal do not change adult liability, including co-offender joint and several liability. Children are no longer subject to joint and several liability and liability may be apportioned among them but cannot exceed 100 percent of the total.</p> <p>The committee has added a chart which allows for any known co-offender initials, case number, county of disposition, and percent of apportionment. This is to assist a victim and the courts with information about apportionment while maintaining confidentiality.</p>
5.	Superior Court of California, County of Los Angeles By Robert Oftring, Chief Communications and External Affairs Officer	AM	<p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular judicial officer or employee.</p> <p>In response to the Judicial Council of California's proposal titled "ITC W25-06 Juvenile Law: Restitution Orders," the Superior Court of California, County of Los Angeles</p>	<p>The committee notes the commenter's agreement with the proposal if modified.</p> <p>The committee appreciates this feedback.</p>

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>(Court), concurs that the proposal effectively addresses its intended purpose.</p> <p>The Court believes that separate restitution order forms for juvenile court and criminal court are unnecessary. It would be beneficial to indicate whether an order is original or a modification, with checkboxes being an ideal method for this indication. Additionally, the Court agrees that the form should include the names of co-offending minors in cases where liability is apportioned.</p> <p>While the Court does not anticipate any cost savings from the proposal, it expects minimal implementation requirements. These requirements would involve providing the form and relevant information to judicial officers, judicial assistants, and clerical staff.</p> <p>The Court has observed that the current form uses the term "child" to refer to minors who are liable for damages. It is recommended to use the term "minor," which is more commonly used in juvenile justice courts, as it would be more appropriate.</p> <p>Finally, the Court agrees that a two-month period from the Judicial Council's approval of this proposal to its effective date will be sufficient for implementation and that this</p>	<p>The committee appreciates this feedback, and based on all the feedback, the committee may work with the Criminal Law Advisory Committee in the future on whether separate forms would be desirable. The form has been revised to have checkboxes to indicate if an order is original or amended. In addition, the committee has added a chart for any known co-offender initials, case number, county of disposition, and percent of apportionment. This is to assist a victim and the courts with information about apportionment while maintaining confidentiality.</p> <p>The committee appreciates this feedback.</p> <p>California Rules of Court, rule 5.502(5) and (46) define child to mean a person under the age of 18, and youth to mean a person who is at least 14 years of age and not yet 21 years of age, respectively. The committee believes "child" is more appropriate for these forms.</p> <p>The committee appreciates this feedback.</p>

**W25-06****Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			proposal will be suitable for courts of varying sizes.	
6.	Superior Court of California, County of Orange Criminal Operations By Elizabeth Flores, Operations Analyst	AM	<p>1. Does the proposal appropriately address the stated purpose? Yes.</p> <p>2. Would it be beneficial for victims, offenders, courts, or justice partners to have separate restitution order forms for use in juvenile court and criminal court? Yes, the proposed format clearly separates the distinction between Criminal and Juvenile.</p> <p>3. Is it helpful to indicate whether the order is original or a modification? If so, would check boxes or an attachment best reflect a modification? Yes, the checkboxes would be sufficient.</p> <p>4. Should the order form include the names of co-offending children in cases involving apportionment of liability? N/A</p> <p>5. Would the proposal provide cost savings? If so, please quantify. No.</p>	<p>The committee appreciates this feedback.</p> <p>The committee appreciates this feedback, and based on all the feedback, the committee may work with the Criminal Law Advisory Committee in the future on whether separate forms would be desirable.</p> <p>The committee appreciates this feedback, and the form has been revised to have checkboxes to indicate an original or an amended order.</p> <p>No response required.</p> <p>The committee appreciates this feedback.</p>

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	Commenter	Position	Comment	Committee Response
			<p>6. What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?            Very minor changes to Criminal processes. There may be a need to create a docket code and training of Courtroom Clerk and Case Processing staff.</p> <p>7. Would 2 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?            Yes.</p> <p>8. How well would this proposal work in courts of different sizes?            N/A</p>	<p>The committee appreciates the response.</p> <p>The committee appreciates this feedback.</p> <p>No response required.</p>
7.	Superior Court of California, County of Riverside	AM	<p>Position on Proposal: Generally, in support of this proposal.</p> <p>Does the proposal appropriately address the stated purpose?</p> <p>Yes. Updating the JV-790 and the JV-792 to remove joint and several liability for co-offenders in juvenile justice cases, addressing apportionment of restitution in juvenile justice</p>	<p>The committee notes the commenter’s agreement with the proposal if modified.</p> <p>The committee appreciates this feedback.</p>



**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>cases and allowing the use of the forms for informal supervision will address the stated purpose of AB 1186 and should make the forms easier for everyone to use. Also clarifying that parents/guardians can be held jointly and severally liable is useful information.</p> <p>Would it be beneficial for victims, offenders, courts, or justice partners to have separate restitution order forms for use in juvenile court and criminal court?</p> <p>The current proposed form at item 1 a or 1 b seems to make clear if the order is for an adult or a juvenile. From the perspective of juvenile court, one common form seems fine, however if there are reasons why a separate form would be more beneficial in obtaining civil judgments then that would be fine. There really is no preference from a juvenile court perspective.</p> <p>Is it helpful to indicate whether the order is original or a modification? If so, would check boxes or an attachment best reflect a modification?</p> <p>Yes, indicating if the order is an original order or for a modification would be useful. A check box at the beginning of the form under the title would be sufficient.</p> <p>Should the order form include the names of co-offending children in cases involving apportionment of liability?</p>	<p>The committee appreciates this feedback, and based on all the feedback, the committee may work with the Criminal Law Advisory Committee in the future on whether separate forms would be desirable.</p> <p>The committee appreciates this feedback, and the form has been revised to have checkboxes to indicate if an order is original or amended.</p>

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>Yes, this would make relating cases in the case management system when entering the orders much easier for court clerks, particularly where there is joint and several liability for parents/guardians on co-offender cases. If there are confidentiality concerns, just the case number and no names would also be very helpful.</p> <p>Would the proposal provide cost savings? Is so, please quantify.</p> <p>No, there would be no cost savings.</p> <p>What would the implementation requirements be for courts-for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in the case management systems, or modifying case management systems?</p> <p>There would be minimal staff training or modifications to the case management system needed. The main implementation requirements would be to make judicial officers and probation departments aware of the changes.</p> <p>Would 2 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes.</p>	<p>The committee has added a chart which allows for any known co-offender initials, case number, county of disposition, and percent of apportionment. This is to assist a victim and the courts with information about apportionment while maintaining confidentiality.</p> <p>The committee appreciates this feedback.</p> <p>The committee appreciates this feedback.</p> <p>The committee appreciates this feedback.</p>

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	Commenter	Position	Comment	Committee Response
			<p>How well would this proposal work in courts of different sizes? This proposal should work the same for courts of any size.</p>	<p>The committee appreciates this feedback.</p>
8.	<p>Superior Court of California, County of San Diego By Mike Roddy, Executive Officer</p>	AM	<p>Q: Does the proposal appropriately address the stated purpose? A: Yes. The changes are necessary as a result of the amendments to WIC 730.6.</p> <p>Q: Would it be beneficial for victims, offenders, courts, or justice partners to have separate restitution order forms for use in juvenile court and criminal court? A: Not necessarily.</p> <p>Q: Is it helpful to indicate whether the order is original or a modification? If so, would check boxes or an attachment best reflect a modification? A: Yes, a checkbox for a modification could be helpful.</p> <p>Q: Should the order form include the names of co-offending children in cases involving apportionment of liability? A: No.</p>	<p>The committee appreciates this feedback.</p> <p>The committee appreciates this feedback, and based on all the feedback, the committee may work with the Criminal Law Advisory Committee in the future on whether separate forms would be desirable.</p> <p>The committee appreciates this feedback, and the form has been revised to have checkboxes to indicate if an order is original or amended.</p> <p>The committee has added a chart which allows for any known co-offender initials, case number</p>

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	Commenter	Position	Comment	Committee Response
			<p>Q: Would the proposal provide cost savings? If so, please quantify. A: No.</p> <p>Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? A: The implementation requirements would be minimal. (We have our own local forms in San Diego.)</p> <p>Q: Would 2 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? A: Yes.</p> <p>Q: How well would this proposal work in courts of different sizes? A: It appears that the proposal would work for courts of all sizes.</p> <p style="text-align: center;">General Comments</p> <p>CR110/JV-790 footer:</p>	<p>county of disposition and percent of apportionment. This is to assist a victim and the courts with information about apportionment while maintaining confidentiality.</p> <p>The committee appreciates this feedback.</p> <p>The committee appreciates this feedback.</p> <p>The committee appreciates this feedback.</p> <p>The committee appreciates this feedback.</p>

**W25-06****Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

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	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>Propose deleting subdivisions (h), (i), (q) for WIC 730.6. The statute has been substantially revised and the subdivisions are no longer accurate or necessary.</p> <p>Propose deleting the citation to CCP § 674(a)(7). The abstract of judgment is now the JV-791 form.</p> <p>Propose adding a citation to WIC 730.7.</p> <p>CR110/JV-790 item 4d: Propose deleting period after “profits.”</p> <p>Should form CR110/JV-790 include a statement that form CR-112/JV-792 is available to provide instructions on how to fill out form CR110/JV-790? For example: “Read Instructions: Order for Victim Restitution (form CR-112/JV-792) before completing this form.”</p> <p>CR-112/JV-792 I.: Propose revising the language since a youth is not “found guilty” in juvenile court. A more accurate statement would be “found to have committed an offense.” For example, “A separate order and abstract of judgment should be completed for each defendant found guilty of an offense and/or each ward found to have committed an offense.”</p>	<p>The committee has made this change.</p> <p>The committee agrees with deleting this citation.</p> <p>The committee agrees with adding this citation.</p> <p>The committee agrees with deleting the period.</p> <p>The committee agrees and has added a statement calling attention to the instructions form.</p> <p>The committee appreciates this feedback. The words “found guilty of an offense” have been replaced with “found to have committed an offense.”</p>
9.	Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee, Joint Rules Subcommittee	AM	Would it be beneficial for victims, offenders, courts, or justice partners to have separate restitution order forms for use in juvenile court and criminal court?	The committee appreciates this feedback and notes the commenter’s agreement with the proposal if modified.

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>Develop a separate form for juvenile restitution orders. The current form is a joint CR-110 for adults and JV-790 for juveniles. Agree that proposal to have separate forms is something to consider and would be cleaner and simpler form for both orders. Do not see any need to maintain adult and juvenile orders on same form.</p> <p>Is it helpful to indicate whether the order is original or a modification? If so, would check boxes or an attachment best reflect a modification?</p> <p>Consider an option to indicate a modified order. Agree that this would be unusual for an order that is enforceable as a civil judgment and that would be secured by an abstract of judgment. While most civil judgments require renewal after 10 years, criminal restitution judgments do not. (Penal Code Sec. 1214(e).)</p> <p>Should the order form include the names of co-offending children in cases involving apportionment of liability? Agree that co-offenders should not be listed on form. Amended W&amp;I Sec. 730.6 deleted the language “If feasible, the court shall also identify on the court order, any co-offenders who are jointly and severally liable for victim restitution.” (See, former Sec. 730.6(h)(2).) The Legislature could have retained the co-offender identity language, while striking the</p>	<p>Based on all the feedback, the committee may work with the Criminal Law Advisory Committee in the future on whether separate forms would be desirable.</p> <p>The form has been revised to have checkboxes to indicate if an order is original or amended.</p> <p>The committee has added a chart for any known co-offender initials, case number, county of disposition, and percent of apportionment. This is to assist a victim and the courts with information about apportionment while maintaining confidentiality.</p>

**W25-06**

**Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>joint and several language, but deleted the entire sentence.</p> <p>The JRS also notes the following:</p> <p>The request to include in the restitution order any order made pursuant to informal probation pursuant to Sec. 654.2 requires additional analysis. First, this has never been included in the JV-790 order in the past and there is no need to add this. The Order for Victim restitution pursuant to 730.6 applies to a minor described in Section 602 – a ward of the court. A minor who successfully completes an informal program of supervision is not declared a ward of the court. Restitution may be ordered pursuant to Section 654.6, but this is in the context of the informal supervision which can be extended for an additional time to allow the repairs or restitution to be made. An argument can be made that subjecting a minor to a court order, enforceable as a civil judgment for a potentially long period of time, is not consistent with the purpose behind the informal supervision program. Also, 654.3 limits eligibility to cases where restitution does not exceed \$5,000. (The amount was recently increased from \$1,000 in 2023 (AB1643).) Therefore, large amounts of restitution will not be an issue. It is not clear how an ongoing civil judgment might impact a minor who has never been adjudicated a ward of the court, even when the arrest is sealed. (786.5.) If the order is not paid, it may be subject to debt collection as set forth in Penal</p>	<p>The committee appreciates this feedback and the attention brought to these concerns.</p> <p>As more fully described in the report, the committee discussed these issues and determined that including an option for informal supervision in narrowly defined circumstances would be helpful to juvenile courts and is not inconsistent with case law, specifically <i>In re K.C.</i> (2013) 220 Cal.App.4th 465, or public policy. The committee recommends including this option based on how frequently this option could be utilized.</p> <p>The committee has modified the form to more narrowly allow its use in informal supervision cases where the minor “has agreed that this restitution order could be converted to a civil judgment under Welfare and Institutions Code section 730.6 as a term of informal supervision under Welfare and Institutions Code section 654.2.”</p>

**W25-06****Juvenile Law: Restitution Orders** (Revise forms CR-110/JV-790 and CR 112/JV-792)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<p>Code section 1214(b), including wage garnishment, etc., and may appear on the minor's, or his or her parents, credit report. Such an order is not subject to the 10-year renewal period in CCP Sec. 683.010 et seq. (Penal Code sec. 1214(e).) This proposed addition requires further thought.</p> <p>Suggested Modifications Do not include a reference to Welfare and Institutions Code section 654.</p>	<p>See response above.</p>



## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:

**Submit to JC (without circulating for comment)**

**Title of proposal:** Family Law: Technical Changes to Forms

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Revise forms FL-142, FL-145, FL-165, FL-300, FL-306, FL-312, FL-313-INFO, FL-314-INFO, FL-320, FL-320-INFO, FL-340, FL-341(B), FL-343, and FL-411

*Committee or other entity submitting the proposal:*

Family and Juvenile Law Advisory Committee

*Staff contact (name, phone and email):* Gabrielle Selden, 415-865-8085, [gabrielle.selden@jud.ca.gov](mailto:gabrielle.selden@jud.ca.gov)

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): October 22, 2024; Amended November 26, 2024

Project description from annual agenda: Item 13. Project Summary: Develop rule and form changes as necessary to correct errors meeting the criteria of rule 10.22(d)(2): "a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy...."

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) 02/18/2025

approved by Office Director (or Designee) (name) Anna Maves, Principal Managing Attorney on (date) 02/24/2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-098*

For business meeting on April 25, 2025

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Title	Agenda Item Type
Family Law: Technical Changes to Forms	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise forms FL-142, FL-145, FL-165, FL-300, FL-306, FL-312, FL-313-INFO, FL-314-INFO, FL-320, FL-320-INFO, FL-340, FL-341(B), FL-343, and FL-411	July 1, 2025
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	February 26, 2025
Hon. Tari L. Cody, Cochair Hon. Stephanie E. Hulsey, Cochair	Contact
	Gabrielle Selden, 415-865-8085 <a href="mailto:gabrielle.selden@jud.ca.gov">gabrielle.selden@jud.ca.gov</a>

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### Executive Summary

The Family and Juvenile Law Advisory Committee recommends technical changes to improve several forms by correcting clerical errors, updating references to state and federal codes, and making other minor changes to align the forms with statewide procedures. The technical changes will improve the accuracy of the forms and avoid causing confusion for court users, clerks, and judicial officers.

### Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2025, revise the following forms:

1. *Schedule of Assets and Debts* (form [FL-142](#)).

- a. The reference to Code of Civil Procedure (CCP) sections 2030(c) and 2033.5 in the footer of the form will be deleted and replaced with CCP sections 2030.010 to 2030.310 to denote that the form may be used to propound or respond to form interrogatories;<sup>1</sup> and
  - b. Family Code sections 2100–2113 will be added in the footer to denote that the form may also be used to comply with the parties’ obligation to disclose assets and debts in dissolution proceedings.
2. *Form Interrogatories–Family Law* (form FL-145) will be revised to delete the reference to courtinfo.ca.gov and replace it with courts.ca.gov.
  3. *Request to Enter Default* (form [FL-165](#)) will be revised to:
    - a. Renumber item 3 to add clarifying language that a person who does not attach a completed *Property Declaration* (form [FL-160](#)) must check a box to indicate why the form is not attached.
    - b. Delete “Family Code section 2330.5” in item 3d and add it to the citation in the footer; and
    - c. Reformat items 3(a)–(f), 4(a)–(b), and 6(a)–(f) so they are not enclosed by parentheses.
  4. *Request for Order* (form [FL-300](#)).
    - a. The reference in the footer to revoked Government Code 26826 will be deleted and replaced with Government Code section 70612; and
    - b. The title of form [MC-410](#) will be updated to *Disability Accommodation Request* in the Request for Accommodations language at the bottom of page 4 of the form.
  5. *Request to Reschedule Hearing* (form [FL-306](#)). To avoid confusion if more than one *Request for Order* (form FL-300) is filed, a fillable blank space will be added at item 2a for a party to specify the type of relief being sought in the *Request for Order* (e.g., child custody, child support, property division, etc.).
  6. *Request for Child Abduction Prevention Orders* (form [FL-312](#)).

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<sup>1</sup> Code of Civil Procedure sections 2030(c) and 2033.5 were renumbered following a reorganization of the “Civil Discovery Act” under Assembly Bill 3081 (Stats. 2004, ch 182).

- a. The reference to 22 U.S.C. section 9001 et seq. will be added to the footer of the first page of the form. This will also aid form users because Family Code section 3048, which is currently in the footer, still references revoked 42 U.S.C. 11601.<sup>2</sup>
  - b. The form number for *Declaration of Supervised Visitation Provider* will be updated to include links to the form for nonprofessional providers (form FL-324(NP)) and the form for professional providers (form FL-324(P)).
7. *Child Custody Information Sheet—Recommending Counseling* (form [FL-313-INFO](#)).
- a. The name of form MC-410 will be updated to *Disability Accommodation Request* in the Request for Accommodations language at the bottom of page 2; and
  - b. Hyperlinks to the websites listed on page 2 will be embedded in the form.
8. *Child Custody Information Sheet—Child Custody Mediation* (form [FL-314-INFO](#)) will be revised in the same manner as form FL-313-INFO at indicated above.
9. *Responsive Declaration to Request for Order* (form [FL-320](#)). The checkbox at item 9 will be corrected to reference “Attachment 9” instead of “Attachment 10.”
10. *Information Sheet: Responsive Declaration to Request for Order* (form [FL-320-INFO](#)). The form will be revised by:
- a. Replacing the image of *Response to Request for Order* (form FL-320) on page 2 with the image of form FL-320 that was revised effective January 1, 2025; and
  - b. Updating the hyperlinks in items 15 and 16 to match the current names of the webpages on the Self-Help Guide to the California Courts.
11. *Findings and Order After Hearing* (form [FL-340](#)).
- a. The party caption will be updated to align with the format of other Judicial Council forms in the Family Law series.
  - b. All references to “Other party” will be changed to “Other parent/party” to be consistent with other FL forms.
  - c. In item 9, the term “reschedule” will be used instead of “continue” to align with *Request to Reschedule Hearing* (form FL-306).

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<sup>2</sup> 42 U.S.C. sections 11601 to 11610 were transferred to 22 U.S.C. section 9001 (titled “Foreign Relations and Intercourse”), effective January 3, 2016.

- d. A checkbox will be added at the bottom of the page to specify the name of the court professional, party, or attorney who drafted the court order under rule 5.125 of the California Rules of Court.
  - e. A second date and signature line will be added to allow the other parent/party or attorney to indicate approval of the proposed order as conforming to the court order.
  - f. Rule 5.125 of the California Rules of Court will be added as a reference in the footer.
12. *Child Abduction Prevention Order Attachment* (form [FL-341\(B\)](#)). The references to 42 U.S.C section 11601 in the footer on page one and in the notice language on page two will be revised to reflect that 42 U.S.C. section 11601 was transferred to 22 U.S.C. section 9001 et seq.
13. *Spousal, Domestic Partner, or Family Support Order Attachment* (form [FL-343](#)).
- a. To be consistent with item 3 in *Petition—Marriage/Domestic Partnership* (Family Law) (form [FL-100](#)), items 2.b and 2.c will be revised so that the length of time that the parties were married or in a registered domestic partnership appears as “\_\_\_ years and \_\_\_ months,” instead of “\_\_\_ months and \_\_\_ years.”
  - b. Item 7c will be revised to update the title of form [FL-192](#) to *Notice of Rights and Responsibilities Regarding Child Support*.
14. *Affidavit of Facts Constituting Contempt—Financial and Injunctive Orders* (form [FL-411](#)). The reference to “Other party” in the caption will be changed to “Other parent/party” to be consistent with other family law forms. It will also be renumbered from item 1 with subitems a, b, and c to items 1, 2, and 3 to reflect the formatting used for Judicial Council forms. The link in the footer of the page will also be updated to courts.ca.gov, instead of courtinfo.ca.gov.

In addition, these 14 forms will be revised globally, as needed, to reflect current formatting for weblinks on Judicial Council forms.

### **Relevant Previous Council Action**

The Judicial Council has previously acted on these forms, but this proposal makes no substantive changes; it only involves minor corrections that are unrelated to prior council action.

### **Analysis/Rationale**

The changes to these forms are technical in nature and necessary to ensure the forms are accurate and reference current statutes, and are consistent with the other forms in the Judicial Council’s family law forms series.

**Policy implications**

None.

**Comments**

This proposal was not circulated for public comment because the changes are noncontroversial, involve technical revisions, and are therefore within the Judicial Council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

**Alternatives considered**

No alternatives were considered because the committee wants to ensure errors are corrected, and forms contain updated and accurate references to statutes, titles, and website links.

**Fiscal and Operational Impacts**

This proposal should not have any fiscal or operational impacts on courts or litigants other than the costs of replacing outdated forms. In implementing the revised forms, courts will incur standard reproduction costs. Because the proposed changes are technical corrections, case management systems are unlikely to need updating to implement them.

**Attachments and Links**

1. Forms FL-142, FL-145, FL-165, FL-300, FL-306, FL-312, FL-313-INFO, FL-314-INFO, FL-320, FL-320-INFO, FL-340, FL-341(B), FL-343, and FL-411, at pages 6–37

**THIS FORM SHOULD NOT BE FILED WITH THE COURT**

**FL-142**

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>name and address</i> ):	TELEPHONE NO.:
Draft - 02/25/25 Not Approved by the Judicial Council	
ATTORNEY FOR ( <i>name</i> ):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>	
PETITIONER: RESPONDENT:	
<b>SCHEDULE OF ASSETS AND DEBTS</b> <input type="checkbox"/> Petitioner's <input type="checkbox"/> Respondent's	CASE NUMBER:

— INSTRUCTIONS —

List all your known community and separate assets or debts. Include assets even if they are in the possession of another person, including your spouse. If you contend an asset or debt is separate, put P (for Petitioner) or R (for Respondent) in the first column (separate property) to indicate to whom you contend it belongs.

All values should be as of the date of signing the declaration unless you specify a different valuation date with the description. For additional space, use a continuation sheet numbered to show which item is being continued.

ITEM NO.	ASSETS DESCRIPTION	SEP. PROP	DATE ACQUIRED	CURRENT GROSS FAIR MARKET VALUE	AMOUNT OF MONEY OWED OR ENCUMBRANCE
1.	REAL ESTATE ( <i>Give street addresses and attach copies of deeds with legal descriptions and latest lender's statement.</i> )			\$	\$
2.	HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES ( <i>Identify.</i> )				
3.	JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc. ( <i>Identify.</i> )				



ITEM NO. ASSETS DESCRIPTION	SEP. PROP	DATE ACQUIRED	CURRENT GROSS FAIR MARKET VALUE	AMOUNT OF MONEY OWED OR ENCUMBRANCE
4. VEHICLES, BOATS, TRAILERS <i>(Describe and attach copy of title document.)</i>			\$	\$
5. SAVINGS ACCOUNTS <i>(Account name, account number, bank, and branch. Attach copy of latest statement.)</i>				
6. CHECKING ACCOUNTS <i>(Account name and number, bank, and branch. Attach copy of latest statement.)</i>				
7. CREDIT UNION, OTHER DEPOSIT ACCOUNTS <i>(Account name and number, bank, and branch. Attach copy of latest statement.)</i>				
8. CASH <i>(Give location.)</i>				
9. TAX REFUND				
10. LIFE INSURANCE WITH CASH SURRENDER OR LOAN VALUE <i>(Attach copy of declaration page for each policy.)</i>				

ITEM NO. ASSETS DESCRIPTION	SEP. PROP	DATE ACQUIRED	CURRENT GROSS FAIR MARKET VALUE	AMOUNT OF MONEY OWED OR ENCUMBRANCE
11. STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS <i>(Give certificate number and attach copy of the certificate or copy of latest statement.)</i>			\$	\$
12. RETIREMENT AND PENSIONS <i>(Attach copy of latest summary plan documents and latest benefit statement.)</i>				
13. PROFIT - SHARING, ANNUITIES, IRAS, DEFERRED COMPENSATION <i>(Attach copy of latest statement.)</i>				
14. ACCOUNTS RECEIVABLE AND UNSECURED NOTES <i>(Attach copy of each.)</i>				
15. PARTNERSHIPS AND OTHER BUSINESS INTERESTS <i>(Attach copy of most current K-1 form and Schedule C.)</i>				
16. OTHER ASSETS				
17. TOTAL ASSETS FROM CONTINUATION SHEET				
18. TOTAL ASSETS			\$	\$

ITEM NO. DEBTS—SHOW TO WHOM OWED	SEP. PROP	TOTAL OWING	DATE INCURRED
19. STUDENT LOANS <i>(Give details.)</i>		\$	
20. TAXES <i>(Give details.)</i>			
21. SUPPORT ARREARAGES <i>(Attach copies of orders and statements.)</i>			
22. LOANS—UNSECURED <i>(Give bank name and loan number and attach copy of latest statement.)</i>			
23. CREDIT CARDS <i>(Give creditor's name and address and the account number. Attach copy of latest statement.)</i>			
24. OTHER DEBTS <i>(Specify.):</i>			
25. TOTAL DEBTS FROM CONTINUATION SHEET			
26. TOTAL DEBTS		\$	

27.  *(Specify number):* \_\_\_\_\_ pages are attached as continuation sheets.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>name, State Bar number, and address</i> ):	TELEPHONE NO.:
ATTORNEY FOR ( <i>name</i> ):	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>	
SHORT TITLE:	
<b>FORM INTERROGATORIES—FAMILY LAW</b>	CASE NUMBER:
<b>Asking Party:</b> <b>Answering Party:</b> <b>Set No.:</b>	

**Sec. 1. Instructions to Both Parties**

The interrogatories on page 2 of this form are intended to provide for the exchange of relevant information without unreasonable expense to the answering party. They do not change existing law relating to interrogatories, nor do they affect the answering party's right to assert any privilege or make any objection. **Privileges must be asserted.**

**Sec. 2. Definitions**

Words in **boldface** in these interrogatories are defined as follows:

- (a) **Person** includes a natural person; a partnership; any kind of business, legal, or public entity; and its agents or employees.
- (b) **Document** means all written, recorded, or graphic materials, however stored, produced, or reproduced.
- (c) **Asset** or **property** includes any interest in real estate or personal property. It includes any interest in a pension, profit-sharing, or retirement plan.
- (d) **Debt** means any obligation, including debts paid since the date of separation.
- (e) **Support** means any benefit or economic contribution to the living expenses of another person, including gifts.
- (f) If asked to **identify a person**, give the person's name, last known residence and business addresses, telephone numbers, and company affiliation at the date of the transaction referred to.
- (g) If asked to **identify a document**, attach a copy of the document unless you explain why not. If you do not attach the copy, describe the document, including its date and nature, and give the name, address, telephone number, and occupation of the person who has the document.

**Sec. 3. Instructions to the Asking Party**

Check the box next to each interrogatory you want the answering party to answer.

**Sec. 4. Instructions to the Answering Party**

You must answer these interrogatories under oath within 30 days, in accordance with Code of Civil Procedure section 2030.260.

You must furnish all information you have or can reasonably find out, including all information (not privileged) from your attorneys or under your control. If you don't know, say so.

If an interrogatory is answered by referring to a document, the document must be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer can be found.

If a document to be attached to the response may also be attached to the *Schedule of Assets and Debts* (form FL-142), the document should be attached only to the response, and the form should refer to the response.

If an interrogatory cannot be answered completely, answer as much as you can, state the reason you cannot answer the rest, and state any information you have about the unanswered portion.

**Sec. 5. Oath**

Your answers to these interrogatories must be under oath, dated, and signed. Use the following statement **at the end of your answers**:

*I declare under penalty of perjury under the laws of the State of California that the foregoing answers are true and correct.*

\_\_\_\_\_  
(DATE)

\_\_\_\_\_  
(SIGNATURE)

- 1. **Personal history.** State your full name, current residence address and work address, social security number, any other names you have used, and the dates between which you used each name.
- 2. **Agreements.** Are there any agreements between you and your spouse or domestic partner, made before or during your marriage or domestic partnership or after your separation, that affect the disposition of **assets, debts, or support** in this proceeding? If your answer is yes, for each agreement state the date made and whether it was written or oral, and attach a copy of the agreement or describe its contents.
- 3. **Legal actions.** Are you a party or do you anticipate being a party to any legal or administrative proceeding other than this action? If your answer is yes, state your role and the name, jurisdiction, case number, and a brief description of each proceeding.
- 4. **Persons sharing residence.** State the name, age, and relationship to you of each **person** at your present address.
- 5. **Support provided others.** State the name, age, address, and relationship to you of each **person** for whom you have provided **support** during the past 12 months and the amount provided per month for each.
- 6. **Support received for others.** State the name, age, address, and relationship to you of each **person** for whom you have received **support** during the past 12 months and the amount received per month for each.
- 7. **Current income.** List all income you received during the past 12 months, its source, the basis for its computation, and the total amount received from each. Attach your last three paycheck stubs.
- 8. **Other income.** During the past three years, have you received cash or other property from any source not identified in item 7? If so, list the source, the date, and the nature and value of the property.
- 9. **Tax returns.** Attach copies of all tax returns and tax schedules filed by or for you in any jurisdiction for the past three calendar years.
- 10. **Schedule of assets and debts.** Complete the *Schedule of Assets and Debts* (form FL-142) served with these interrogatories.
- 11. **Separate property contentions.** State the facts that support your contention that an asset or debt is separate property.
- 12. **Property valuations.** During the past 12 months, have you received written offers to purchase or had written appraisals of any of the assets listed on your completed *Schedule of Assets and Debts*? If your answer is yes, **identify the document.**
- 13. **Property held by others.** Is there any **property** held by any third party in which you have any interest or over which you have any control? If your answer is yes, indicate whether the property is shown on the *Schedule of Assets and Debts* completed by you. If it is not, describe and identify each such asset, state its present value and the basis for your valuation, and **identify the person** holding the asset.
- 14. **Retirement and other benefits.** Do you have an interest in any disability, retirement, profit-sharing, or deferred compensation plan? If your answer is yes, **identify** each plan and provide the name, address, and telephone number of the administrator and custodian of records.
- 15. **Claims of reimbursement.** Do you claim the legal right to be reimbursed for any expenditures of your separate or community property? If your answer is yes, state all supporting facts.
- 16. **Credits.** Have you claimed reimbursement credits for payments of community debts since the date of separation? If your answer is yes, **identify** the source of payment, the creditor, the date paid, and the amount paid. State whether you have added to the debt since the separation.
- 17. **Insurance.** **Identify** each health, life, automobile, and disability insurance policy or plan that you now own or that covers you, your children, or your assets. State the policy type, policy number, and name of the company. **Identify** the agent and give the address.
- 18. **Health.** Is there any physical or emotional condition that limits your ability to work? If your answer is yes, state each fact on which you base your answer.
- 19. **Children's needs.** Do you contend that any of your children have any special needs? If so, identify the child with the need, the reason for the need, its cost, and its expected duration.
- 20. **Attorney fees.** State the total amount of attorney fees and costs incurred by you in this proceeding, the amount paid, and the source of the money paid. Describe the billing arrangements.
- 21. **Gifts.** List any gifts you have made without the consent of your spouse or domestic partner in the past 24 months, their values, and the recipients.

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  <b>Draft Not Approved by the Judicial Council</b>  <b>v. 02/25/25</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT:	
<b>REQUEST TO ENTER DEFAULT</b>	CASE NUMBER:

1. **To the clerk:** Please enter the default of the respondent who has failed to respond to the petition.
2. A completed *Income and Expense Declaration* (form FL-150) or *Financial Statement (Simplified)* (form FL-155)  is attached  is not attached.
3. A completed *Property Declaration* (form FL-160)  is attached  is not attached  
 If a completed *Property Declaration* (form FL-160) is not attached, check at least one of the following boxes to indicate the reason:
  - a.  There have been no changes since the previous filing.
  - b.  The issues subject to disposition by the court in this proceeding are the subject of a written agreement.
  - c.  There are no issues of child, spousal, or partner support or attorney fees and costs subject to determination by the court.
  - d.  The petition does not request money, property, costs, or attorney fees.
  - e.  There are no issues of division of community property.
  - f.  This is an action to establish parental relationship.

Date: \_\_\_\_\_

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF [ATTORNEY FOR] PETITIONER)

- 4. Declaration**
- a.  No mailing is required because service was by publication or posting and the address of the respondent remains unknown.
  - b.  A copy of this *Request to Enter Default*, including any attachments and an envelope with sufficient postage, was provided to the court clerk, with the envelope addressed as follows (*address of the respondent's attorney or, if none, the respondent's last known address*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF DECLARANT)

<b>FOR COURT USE ONLY</b>
<input type="checkbox"/> <i>Request to Enter Default</i> mailed to the respondent or the respondent's attorney on (date): _____ .
<input type="checkbox"/> Default entered as requested on (date): _____ .
<input type="checkbox"/> Default <b>not</b> entered. Reason: _____ .
Clerk, by _____, Deputy

PETITIONER: RESPONDENT:	CASE NUMBER:
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**5. Memorandum of costs**

- a.  Costs and disbursements are waived.
- b. Costs and disbursements are listed as follows:
- |  |                 |
|--|-----------------|
| (1) <input type="checkbox"/> Clerk's fees .....              | \$ .....        |
| (2) <input type="checkbox"/> Process server's fees .....     | \$ .....        |
| (3) <input type="checkbox"/> Other ( <i>specify</i> ): ..... | \$ .....        |
| .....  | \$ .....        |
| .....  | \$ .....        |
| .....  | \$ .....        |
| <b>TOTAL</b> .....   | <b>\$</b> ..... |
- c. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief, the foregoing items of cost are correct and have been necessarily incurred in this cause or proceeding.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

**6. Declaration of nonmilitary status** (*required for a judgment*).  
 The respondent is not in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

I know that the respondent is not in the U.S. military service because (*check all that apply*):

- a.  the search results that I received from [scra.dmdc.osd.mil/](http://scra.dmdc.osd.mil/) say the respondent is not in the U.S. military service.
- b.  I am in regular communication with the respondent and know that they are not in the U.S. military service.
- c.  I recently contacted the respondent, and they told me that they are not in the U.S. military service.
- d.  I know that the respondent was discharged from U.S. military service on or about (*date*):
- e.  the respondent is not eligible to serve in the U.S. military because they are incarcerated (in jail or prison).
- f.  other (*specify*):

**Note**

- U.S. military status can be checked online at [scra.dmdc.osd.mil/](http://scra.dmdc.osd.mil/).
- If the respondent is in the military service, or their military status is unknown, the respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see [selfhelp.courts.ca.gov/military-defaults](http://selfhelp.courts.ca.gov/military-defaults).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  <b>Draft</b> <b>Not Approved by</b> <b>the Judicial Council</b>  <b>v. 02/25/25</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	
<b>REQUEST FOR ORDER</b> <input type="checkbox"/> <b>CHANGE</b> <input type="checkbox"/> <b>TEMPORARY EMERGENCY ORDERS</b> <input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Spousal or Partner Support <input type="checkbox"/> Child Support <input type="checkbox"/> Property Control <input type="checkbox"/> Attorney's Fees and Costs <input type="checkbox"/> Other (specify):	CASE NUMBER:

*Note: Read form [FL-300-INFO](#) for information about how to complete this form. To ask to change or end an order that was granted in a Restraining Order After Hearing (form DV-130 or JV-255), read form [FL-300-INFO](#) and form [DV-300-INFO](#)*

**NOTICE OF HEARING**

1. TO (name): \_\_\_\_\_  
 Petitioner  Respondent  Other Parent/Party  Other (specify):

2. **A COURT HEARING WILL BE HELD AS FOLLOWS:**

a. Date:	Time:	Dept.:	Room.:
b. Address of court	<input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify):		

3. **WARNING to the person served with the Request for Order:** The court may make the requested orders without you if you do not file a *Responsive Declaration to Request for Order* (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form *FL-320-INFO* for more information.)

**COURT ORDER**  
(FOR COURT USE ONLY)

**It is ordered that:**

4.  Time  for service  until the hearing is shortened. Service must be on or before (date):
5.  A *Responsive Declaration to Request for Order* (form FL-320) must be served on or before (date):
6.  The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location):
7.  The orders in *Temporary Emergency (Ex Parte) Orders* (form FL-305) apply to this proceeding and must be personally served with all documents filed with this *Request for Order*.
8.  Other (specify):

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER



PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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REQUEST FOR ORDER

**Note:** Place a mark **X** in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration* ([form MC-031](#)) for this purpose.)

1.  RESTRAINING ORDER INFORMATION  
 One or more domestic violence restraining/protective orders are now in effect between (specify):  
 Petitioner  Respondent  Other Parent/Party (Attach a copy of the orders if you have one.)  
 The orders are from the following court or courts (specify county and state):
- a.  Criminal: County/state (specify): Case No. (if known):
  - b.  Family: County/state (specify): Case No. (if known):
  - c.  Juvenile: County/state (specify): Case No. (if known):
  - d.  Other: County/state (specify): Case No. (if known):

2.  CHILD CUSTODY  I request temporary emergency orders  
 VISITATION (PARENTING TIME)
- a. I request that the court make orders about the following children (specify):
- |                     |                      |  |   |
|---------------------|----------------------|--|---|
| <u>Child's Name</u> | <u>Date of Birth</u> | <input type="checkbox"/> <u>Legal Custody to</u> (person who decides: health, education, etc): | <input type="checkbox"/> <u>Physical Custody to</u> (person with whom child lives): |
|---------------------|----------------------|--|---|

- b.  The orders I request for  child custody  visitation (parenting time) are:  [Attachment 2a.](#)
- (1)  Specified in the attached forms:
- |   |   |  |   |
|---|---|--|---|
| <input type="checkbox"/> Form <a href="#">FL-305</a>    | <input type="checkbox"/> Form <a href="#">FL-311</a>    | <input type="checkbox"/> Form <a href="#">FL-312</a> | <input type="checkbox"/> Form <a href="#">FL-341(C)</a> |
| <input type="checkbox"/> Form <a href="#">FL-341(D)</a> | <input type="checkbox"/> Form <a href="#">FL-341(E)</a> | <input type="checkbox"/> Other (specify):            |   |
- (2)  As follows (specify):  [Attachment 2b.](#)

- c. The orders that I request are in the best interest of the children because (specify):  [Attachment 2c.](#)

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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2. d.  This is a change from the current order for  child custody  visitation (parenting time).
- (1)  The order for legal or physical custody was filed on (date): \_\_\_\_\_ . The court ordered (specify): \_\_\_\_\_
- (2)  The visitation (parenting time) order was filed on (date): \_\_\_\_\_ . The court ordered (specify): \_\_\_\_\_

[Attachment 2d.](#)

3.  CHILD SUPPORT

(Note: An earnings assignment may be issued. See *Income Withholding for Support* (form [FL-195](#))

a. I request that the court order child support as follows:

Child's name and age

I request support for each child Monthly amount (\$) requested based on the child support guideline. (if not by guideline)

[Attachment 3a.](#)

b.  I want to change a current court order for child support filed on (date): \_\_\_\_\_  
 The court ordered child support as follows (specify): \_\_\_\_\_

c. I have completed and filed with this *Request for Order* a current *Income and Expense Declaration* (form [FL-150](#)) or I filed a current *Financial Statement (Simplified)* (form [FL-155](#)) because I meet the requirements to file form FL-155.

d. The court should make or change the support orders because (specify): \_\_\_\_\_  [Attachment 3d.](#)

4.  SPOUSAL OR DOMESTIC PARTNER SUPPORT

(Note: An *Earnings Assignment Order for Spousal or Partner Support* (form [FL-435](#)) may be issued.)

a.  Amount requested (monthly): \$ \_\_\_\_\_

b.  I want the court to  change  end the current support order filed on (date): \_\_\_\_\_  
 The court ordered \$ \_\_\_\_\_ per month for support.

c.  This request is to modify (change) spousal or partner support after entry of a judgment.  
 I have completed and attached *Spousal or Partner Support Declaration Attachment* (form [FL-157](#)) or a declaration that addresses the same factors covered in form FL-157.

d. I have completed and filed a current *Income and Expense Declaration* (form [FL-150](#)) in support of my request.

e. The court should should make, change, or end the support orders because (specify): \_\_\_\_\_  [Attachment 4e.](#)

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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5.  PROPERTY CONTROL  I request temporary emergency orders  
 a. The  petitioner  respondent  other parent/party be given exclusive temporary use, possession, and control of the following property that we  own or are buying  lease or rent (specify):

b. The  petitioner  respondent  other parent/party be ordered to make the following payments on debts and liens coming due while the order is in effect:  
 Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
 Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
 Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
 Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

c.  This is a change from the current order for property control filed on (date):  
 d. Specify in [Attachment 5d](#) the reasons why the court should make or change the property control orders.

6.  ATTORNEY'S FEES AND COSTS  
 I request attorney's fees and costs, which total (specify amount): \$ \_\_\_\_\_. I filed the following to support my request:  
 a. A current *Income and Expense Declaration* (form [FL-150](#)).  
 b. A *Request for Attorney's Fees and Costs Attachment* (form [FL-319](#)) or a declaration that addresses the factors covered in that form.  
 c. A *Supporting Declaration for Attorney's Fees and Costs Attachment* (form [FL-158](#)) or a declaration that addresses the factors covered in that form.

7.  OTHER ORDERS REQUESTED (specify):  [Attachment 7.](#)

8.  TIME FOR SERVICE / TIME UNTIL HEARING I urgently need:  
 a.  To serve the *Request for Order* no less than (number): \_\_\_\_\_ court days before the hearing.  
 b.  The hearing date and service of the the *Request for Order* to be sooner.  
 c. I need the order because (specify):  [Attachment 8.](#)

9.  FACTS TO SUPPORT the orders I request are listed below. The facts that I write in support and attach to this request cannot be longer than 10 pages, unless the court gives me permission.  [Attachment 9.](#)

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.  
 Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF APPLICANT)



**Requests for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to [courts.ca.gov/forms](https://courts.ca.gov/forms) for *Disability Accommodations Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  Draft Not Approved by the Judicial Council  v. 02/25/25
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	
<b>REQUEST TO RESCHEDULE HEARING</b>	CASE NUMBER:

Notice: Read *How to Reschedule a Hearing in Family Court* ([form FL-304-INFO](#)) before you complete this form.

Notice: Do not use this form to ask to change the date of a domestic violence restraining order hearing. For more information, read [form DV-115-INFO](#), *How to Ask for a New Hearing Date*.

**CASE INFORMATION**

1. Name of person asking to reschedule the hearing (*specify*):
  - a.  I am the party who filed the *Request for Order* (form FL-300), order to show cause, or other moving paper in item 2.
  - b.  I am the party who is responding to the *Request for Order* (form FL-300), order to show cause, or other moving paper in item 2.
2. I ask that the court reschedule the hearing date for the (*select one*):
  - a.  *Request for Order* for (*specify*):
  - b.  *Order to Show Cause* for  contempt.  seek work.
  - c.  Other (*specify*):
3. The item in 2 was filed on (*date*):
4. The hearing is currently set for (*date*):
5. The court did not issue temporary emergency (ex parte) orders with the item in 2.

**REQUEST**

6. I request that the hearing be rescheduled as follows:
  - a.  After (*specify date*):
  - b.  On a date I am available, which does not include (*specify dates*):
  - c.  Other (*specify*):

**REASON FOR RESCHEDULING**

7. The hearing needs to be rescheduled because (*select all that apply*)
  - a.  the papers were not served before the hearing date.
  - b.  the parties need to attend child custody mediation or child custody recommending counseling before the hearing.
  - c.  other good cause as stated  below:  [on Attachment 7c.](#)

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER:
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**SPECIAL PROCEDURES MAY APPLY**

The procedures in items 8 and 9 apply only if the documents in item 2 were served on the parties.

- 8. Unless the court determines that there are exceptional circumstances, the other parties must first be
  - a. notified that you are going to ask the court to reschedule the hearing; and
  - b. served with copies of the request to reschedule at the first reasonable opportunity.
- 9. You must then submit to the court a proof of the notice and service in items 8a and 8b, along with the request to reschedule. You may use *Declaration Regarding Notice and Service of Request for Temporary Emergency (Ex Parte) Orders* (form FL-303) to comply with the proof of notice and service.
- 10. You should submit the documents in item 9 to the court no later than five court days before the hearing date set on the *Request for Order* (form FL-300), order to show cause, or other moving paper, unless you have a very good reason to submit them later.

**PROPOSED ORDER REQUIRED**

- 11. I have submitted a proposed *Order on Request to Reschedule Hearing* (form FL-309).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▲ \_\_\_\_\_  
SIGNATURE

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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**REQUEST FOR CHILD ABDUCTION PREVENTION ORDERS**

—This is not a court order—

TO  Petition  Response  Request for Order  Responsive Declaration to Request for Order  
 Other (*specify*):

1. Your name:
2. I request orders to prevent child abduction by (*specify*):  Petitioner  Respondent  Other Parent/Party
3. I think that he or she might take the children without my permission to (*check all that apply*):
  - a.  another county in California (*specify the county*):
  - b.  another state (*specify the state*):
  - c.  a foreign country (*specify the foreign country*):
    - (1)  He or she is a citizen of that country.
    - (2)  He or she has family or emotional ties to that country (*explain*):
  
4. I think that he or she might take the children without my permission because he or she (*check all that apply*):
  - a.  has violated—or threatened to violate—a custody or visitation (parenting time) order in the past.  
*Explain:*
  
  - b.  does not have strong ties to California.  
*Explain any work, financial, social, or family situation that makes it easy for the party to leave California.*
  
  - c.  has recently done things that make it easy for him or her to take the children away without permission. He or she has (*check all that apply*):
 

<input type="checkbox"/> quit his or her job.	<input type="checkbox"/> sold his or her home.
<input type="checkbox"/> closed a bank account.	<input type="checkbox"/> ended a lease.
<input type="checkbox"/> sold or gotten rid of assets.	<input type="checkbox"/> hidden or destroyed documents.
<input type="checkbox"/> applied for a passport, birth certificate, or school or medical records.	
<input type="checkbox"/> Other ( <i>specify</i> ):	
  
  - d.  has a history of (*check all that apply and explain your answers in the space provided in this section*):
 

<input type="checkbox"/> domestic violence.	<input type="checkbox"/> child abuse.	<input type="checkbox"/> not cooperating with me in parenting.
<input type="checkbox"/> taking the children without my permission.		

*Explain your answers to item d.*
  
  - e.  has a criminal record. *Explain:*

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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I REQUEST THE FOLLOWING ORDERS AGAINST (*specify*):  Petitioner  Respondent  Other Parent/Party

5.  **Supervised Visitation (Parenting Time)**  
 I ask the court to order supervised visitation (parenting time). I understand that the person I request to supervise the visits must meet the qualifications listed in *Declaration of Supervised Visitation Provider* (form **FL-324(NP)** or form **FL-324(P)**)  
 The specific terms are attached (*check one*):  form **FL-311**  as follows:

6.  **Post a Bond**  
 I ask the court to order the posting of a bond for \$ \_\_\_\_\_. If the party takes the children without my permission, I can use this money to bring the children back.

7.  **Do Not Move Without My Permission or Court Order**  
 I ask for a court order preventing the party from moving with the children without my written permission or a court order.

8.  **No Travel Without My Permission or Court Order**  
 I ask for a court order preventing the party from traveling with the children outside (*check all that apply*):  
 this county  the United States  
 California  Other (*specify*): \_\_\_\_\_  
 without my written permission or a court order.

9.  **Notify Other State of Travel Restrictions**  
 I ask the court to order the party to register this order in the state of \_\_\_\_\_ and provide the court with proof of the registration before the children can travel to that state for child visitation (parenting time).

10.  **Turn In and Do Not Apply for Passports or Other Vital Documents**  
 I ask for a court order (*check all that apply*):  
 requiring the party to turn in all the children's passports and other documents (such as visas, birth certificates, and other documents used for travel) that are in his or her possession and control.  
 preventing the party from applying for passports or other documents (such as visas or birth certificates) that can be used to travel with the children.

11.  **Provide Itinerary and Other Travel Documents**  
 If the party is allowed to travel with the children, I ask the court to order the party to give me before leaving (*specify*):  
 the children's travel itinerary.  
 copies of round-trip airline tickets.  
 addresses and telephone numbers where the children can be reached at all times.  
 an open airline ticket for me in case the children are not returned.  
 other (*specify*): \_\_\_\_\_

12.  **Notify Foreign Embassy or Consulate of Passport Restrictions**  
 I ask the court to order the party to notify the embassy or consulate of \_\_\_\_\_ of this order and to provide the court with proof of that notification within \_\_\_\_\_ calendar days.

13.  **Foreign Custody and Visitation (Parenting Time) Order**  
 I ask the court to order the party to get a custody and visitation (parenting time) order in a foreign country equal to the most recent United States order before the children can travel to that country for visits. I understand that foreign orders may be changed or enforced depending on the laws of that country.

14.  **Other** (*specify*): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct.

Date: \_\_\_\_\_ \_\_\_\_\_  
(SIGNATURE)

Parents who come to court about child custody and parenting time (visitation) face decisions about parenting plans for their children. This information sheet provides general information about child custody and parenting time matters, how to get help resolving a custody dispute or making a parenting plan, where to find an attorney, and where to find other resources.

### What is a parenting plan?

A parenting plan describes how the parents will divide their responsibilities for taking care of their child.

The plan may include a general or specific schedule of days, times, weekends, holidays, vacations, transportation, pick-up/drop-off, limits on travel, counseling, and treatment services, and other details.

### What are legal and physical custody?

A parenting plan usually includes:

- **Legal custody:** how parents make major decisions about the child’s health, education, and welfare;
- **Physical custody:** where the child lives; and
- **Parenting time, time-share, or visitation:** when the child spends time with each parent.

*Legal custody* and *physical custody* may each be specified as *joint* (both parents have certain responsibilities) or *sole* (one parent has the responsibility alone).

### Can we make our own parenting plan?

Yes. You have a right to make a parenting plan agreement on your own. This agreement may be called a *stipulation*, *time-share plan*, or *parenting plan*.

If both parents can agree on a parenting plan, the judge will probably approve it. The agreement becomes a court order after it is signed by both parents and the judge, and filed with the court.

### What if there is domestic violence or a protective order?

If there is domestic violence or a protective order, talk with an attorney, counselor, or child custody recommending counselor before making a parenting plan.

For domestic violence help, call the National Domestic Violence Hotline at 1-800-799-7233 (TDD:1-800-787-3224) or call 211 if available in your area.

### What if we don’t have a parenting plan?

If you can’t reach an agreement, the court will refer you to family court services (FCS) for child custody mediation also called “child custody recommending counseling.” At the appointment, you will meet with an FCS professional also called a “child custody recommending counselor.” He or she will help you and the other parent reach an agreement about a parenting plan.

### What is child custody recommending counseling with family court services?

Family court services (FCS) provides child custody recommending counseling (sometimes referred to as child custody mediation) to help parents resolve disagreements about the care of their child. The child custody recommending counselor will meet with you and the other parent to try to help you both make a parenting plan. There may be an orientation provided that offers additional information about the process.

If you are unable to reach an agreement after meeting with family court services, the child custody recommending counselor will make a written recommendation to the court about a parenting plan. You and the other parent and the attorneys (if any) will get a copy of the recommendation before the court hearing.

If you are concerned about meeting with the other parent, or there is a domestic violence issue or a protective order involving the other parent, you may





ask to meet alone with the child custody recommending counselor without the other parent. You may also request to have a support person with you. The support person may not speak for you.

### Do we have to agree to a parenting plan when we meet?

No. You do not have to come to an agreement. When the parents can't agree, the judge will decide. For legal advice, contact an attorney. For other information, ask the self-help center or family court services about how the process works in your court.

### Are there other ways to resolve our dispute?

Yes. You may try other alternative dispute resolution (ADR) options, including:

**1. Meet and Confer:** Parents and their attorneys (if any) may meet at any time and as often as necessary to work out a parenting plan without a court hearing. If there is a protective order limiting the contact between the parents, then the “meet and confer” can be through attorneys or a mediator in separate sessions.

**2. Settlement Conference:** In some courts, parents may meet with a judge, neutral evaluators, or family law attorneys not involved in the case to discuss settlement. Check with the local court to find out if this is an option. If there is a protective order, the settlement discussion can be through attorneys or a mediator in separate sessions.

**3. Private Mediation:** Parents may hire a private mediator to help them resolve their dispute.

**4. Collaborative Law Process:** Each parent hires a lawyer and agrees to resolve the dispute without going to court. The parents may also hire other experts.

### Court Hearing

When the parents cannot agree to a parenting plan on their own, in child custody recommending

counseling, or in any other ADR process, the judge will decide.

If there is domestic violence or a protective order, a parent may be able to bring a support person with him or her to the court hearing, but the support person may not speak for that person.

### Where can I get help?

This information sheet gives only basic information on the child custody process and is not legal advice. If you want legal advice, ask an attorney for assistance. For other information, you may want to:

1. Contact family court services.
2. Contact the family law facilitator or self-help center for information, local rules and court forms, and referrals to local legal services providers.
3. Find an attorney through your local bar association, the State Bar of California at [www.calbar.ca.gov](http://www.calbar.ca.gov), or the Lawyer Referral Service at 1-866-442-2529.
4. Hire a private mediator for help with your parenting agreement. A mediator may be an attorney or counselor. Contact your local bar association, court ADR program, or family court services for a referral to local resources.
5. Find information on the Online Self-Help Center website at [courts.ca.gov/selfhelp](http://courts.ca.gov/selfhelp).
6. For free and low-cost legal help (if you qualify), go to [www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org).
7. Find information at your local law library or ask at your public library.
8. Ask for a court hearing and let the judge decide what is best for your child.



#### Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to [courts.ca.gov/forms](http://courts.ca.gov/forms) for [Disability Accommodation Request](#) (form MC-410). (Civil Code, § 54.8.)

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### What is a parenting plan?

A parenting plan describes how the parents will divide their responsibilities for taking care of their child.

The plan may include a general or specific schedule of days, times, weekends, holidays, vacations, transportation, pick-up/drop-off, limits on travel, counseling, and treatment services, and other details.

### What are legal and physical custody?

A parenting plan usually includes:

- **Legal custody:** how parents make major decisions about the child's health, education, and welfare;
- **Physical custody:** where the child lives; and
- **Parenting time, time-share, or visitation:** when the child spends time with each parent.

*Legal custody* and *physical custody* may each be specified as *joint* (both parents have certain responsibilities) or *sole* (one parent has the responsibility alone).

### Can we make our own parenting plan?

Yes. You have a right to make a parenting plan agreement on your own. This agreement may be called a *stipulation*, *time-share plan*, or *parenting plan*.

If both parents can agree on a parenting plan, the judge will probably approve it. The agreement becomes a court order after it is signed by both parents and the judge, and filed with the court.

### What if there is domestic violence or a protective order?

If there is domestic violence or a protective order, talk with an attorney, counselor, or mediator before making a parenting plan.

For domestic violence help, call the National Domestic Violence Hotline at 1-800-799-7233 (TDD:1-800-787-3224) or call 211 if available in your area.

### What if we don't have a parenting plan?

If you can't reach an agreement, the court will refer you to mediation with family court services (FCS) to try to work out a parenting plan.

### What is mediation with family court services?

Family court services (FCS) provides mediation to help parents resolve disagreements about the care of their child. The mediator will meet with you and the other parent to try to help you both make a parenting plan. An orientation may be provided that offers additional information about the process.

If you are concerned about meeting with the other parent in mediation, or there is a domestic violence issue or a protective order involving the other parent, you may ask to meet alone with the mediator without the other parent. You may also request to have a support person with you at mediation. The support person may not speak for you.

### Do we have to agree to a parenting plan in mediation?

No. You do not have to come to an agreement in mediation. When the parents can't agree, the judge will decide. For legal advice, contact an attorney. For other information, ask the self-help center or family court services about how the process works in your court.



## Are there other ways to resolve our dispute?

Yes. You may try other alternative dispute resolution (ADR) options, including:

- 1. Meet and Confer:** Parents and their attorneys (if any) may meet at any time and as often as necessary to work out a parenting plan without a court hearing. If there is a protective order limiting the contact between the parents, then the “meet and confer” can be through attorneys or a mediator in separate sessions.
- 2. Settlement Conference:** In some courts, parents may meet with a judge, neutral evaluators, or family law attorneys not involved in the case to discuss settlement. Check with the local court to find out if this is an option. If there is a protective order, the settlement discussion can be through attorneys or a mediator in separate sessions.
- 3. Private Mediation:** Parents may hire a private mediator to help them resolve their dispute.
- 4. Collaborative Law Process:** Each parent hires a lawyer and agrees to resolve the dispute without going to court. The parents may also hire other experts.

## Court Hearing

When the parents cannot agree to a parenting plan on their own, in mediation, or in any other ADR process, the judge will decide.

If there is domestic violence or a protective order, a parent may be able to bring a support person with him or her to the court hearing, but the support person may not speak for that person.

## Where can I get help?

This information sheet gives only basic information on the child custody process and is not legal advice. If you want legal advice, ask an attorney for assistance. For other information, you may want to:

1. Contact family court services.
2. Contact the family law facilitator or self-help center for information, local rules and court forms, and referrals to local legal services providers.
3. Find an attorney through your local bar association, the State Bar of California at [www.calbar.ca.gov](http://www.calbar.ca.gov), or the Lawyer Referral Service at 1-866-442-2529.
4. Hire a private mediator for help with your parenting agreement. A mediator may be an attorney or counselor. Contact your local bar association, court ADR program, or family court services for a referral to local resources.
5. Find information on the Online Self-Help Center website at [courts.ca.gov/selfhelp](http://courts.ca.gov/selfhelp).
6. For free and low-cost legal help (if you qualify), go to [www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org).
7. Find information at your local law library or ask at your public library.
8. Ask for a court hearing and let the judge decide what is best for your child.



### Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to [courts.ca.gov/forms](http://courts.ca.gov/forms) for [Disability Accommodation Request \(form MC-410\)](#). (Civil Code, § 54.8.)

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  Draft -  Not Approved by the Judicial Council  v. 02/25/25
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	
<b>RESPONSIVE DECLARATION TO REQUEST FOR ORDER</b>	CASE NUMBER:
HEARING DATE: TIME: DEPARTMENT OR ROOM:	

Read *Information Sheet: Responsive Declaration to Request for Order* (form [FL-320-INFO](#)) for more information about this form.

1.  RESTRAINING ORDER INFORMATION
  - a.  No domestic violence restraining/protective orders are now in effect between the parties in this case.
  - b.  I agree that one or more domestic violence restraining/protective orders are now in effect between the parties in this case.
  
2.  CHILD CUSTODY  
 VISITATION (PARENTING TIME)
  - a.  I consent to the order requested for child custody (legal and physical custody).
  - b.  I consent to the order requested for visitation (parenting time).
  - c.  I do not consent to the order requested for  child custody  visitation (parenting time)  
 but I consent to the following order:
  
3.  CHILD SUPPORT
  - a. I have completed and filed a current *Income and Expense Declaration* (form [FL-150](#)) or, if eligible, a current *Financial Statement (Simplified)* (form FL-155) to support my responsive declaration.
  - b.  I consent to the order requested.
  - c.  I consent to guideline support.
  - d.  I do not consent to the order requested  but I consent to the following order:
  
4.  SPOUSAL OR DOMESTIC PARTNER SUPPORT
  - a. I have completed and filed a current *Income and Expense Declaration* (form [FL-150](#)) to support my responsive declaration.
  - b.  I consent to the order requested.
  - c.  I do not consent to the order requested  but I consent to the following order:

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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5.  PROPERTY CONTROL

- a.  I consent to the order requested.
- b.  I do not consent to the order requested  but I consent to the following order:

6.  ATTORNEY'S FEES AND COSTS

- a. I have completed and filed a current *Income and Expense Declaration* (form [FL-150](#)) to support my responsive declaration.
- b. I have completed and filed with this form a *Supporting Declaration for Attorney's Fees and Costs Attachment* (form [FL-158](#)) or a declaration that addresses the factors covered in that form.
- c.  I consent to the order requested.
- d.  I do not consent to the order requested  but I consent to the following order:

7.  OTHER ORDERS REQUESTED

- a.  I consent to the order requested.
- b.  I do not consent to the order requested  but I consent to the following order:

8.  TIME FOR SERVICE / TIME UNTIL HEARING

- a.  I consent to the order requested.
- b.  I do not consent to the order requested  but I consent to the following order:

9.  FACTS TO SUPPORT my responsive declaration are listed below. The facts that I write and attach to this form cannot be longer than 10 pages, unless the court gives me permission.  [Attachment 9.](#)

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  \_\_\_\_\_

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

**1 If you received a Request for Order (form FL-300):**

- Carefully read the papers you received to make sure you understand what orders are being requested.
- Note the date, time, and location of the court hearing.
- Check to see if the court ordered a specific date for filing and serving your *Responsive Declaration to Request for Order* (form FL-320).
- If you need more time before the hearing to prepare a responsive declaration or talk with a lawyer, you may ask the court to continue the hearing date. For more information, consult with a lawyer or contact the the Family Law Facilitator or Self-Help Center in your court (see item **16**).

**2 USE Responsive Declaration to Request for Order (form FL-320)**

Use form FL-320 to let the court and the other party know that you agree or disagree with each of the requests made in the *Request for Order* (form FL-300).

- If you disagree, use form FL-320 to describe the orders you would like the court to make.
- If you do not file and serve form FL-320, the court can still make orders without your input.

**3 DO NOT USE Responsive Declaration to Request for Order (form FL-320) to:**

- Ask for court orders that were not requested in the *Request for Order* (form FL-300). Instead, file and serve your own *Request for Order* (form [FL-300](#)) to ask for orders about other issues.
- Respond to *Request for Domestic Violence Restraining Order* (form [DV-100](#)). Instead, you must use *Response to Request for Domestic Restraining Order* (form [DV-120](#)).
- Respond to *Request to Change or End Restraining Order* (form [DV-300](#) or form [JV-255](#) when the juvenile case is closed and the order was granted under the Domestic Violence Prevention Act). Instead, you must use *Response to Request to End or Change Restraining Order* (form [DV-320](#)).

**4 Forms checklist**

- Form [FL-320](#), *Responsive Declaration to Request for Order*, is the basic form you need. Depending on the requests made in the *Request for Order* (form FL-300), you may need other forms.
- For child custody or visitation (parenting time) orders, you may need to complete some of these forms:
  - [FL-105](#), *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act*
  - [FL-311](#), *Child Custody and Visitation (Parenting Time) Application Attachment*
  - [FL-312](#), *Request for Child Abduction Prevention Orders*
  - [FL-341\(C\)](#), *Children’s Holiday Schedule Attachment*
  - [FL-341\(D\)](#), *Additional Provisions—Physical Custody Attachment*
  - [FL-341\(E\)](#), *Joint Legal Custody Attachment*
- For child support, you need:
  - A current form [FL-150](#), *Income and Expense Declaration*. You may use form [FL-155](#), *Financial Statement (Simplified)*, instead of form FL-150 if you meet the requirements listed on page 2 of form FL-155.

**Notice:**

  - The court will order child support based on the income of the parents.
  - Child support normally continues until the child is 18 years and has graduated from high school.
  - You must give the court information about your finances. If you do not, the child support order will be based on information about your income that the court receives from other sources.
- For spousal or domestic partner support or orders about your finances, you need these forms:
  - [FL-150](#), *Income and Expense Declaration*
  - [FL-157](#), *Spousal or Partner Support Declaration Attachment* (if the request is to change a support judgment)
- For attorney’s fees and costs, you need these forms (except in Domestic Violence Prevention Act cases):
  - [FL-150](#), *Income and Expense Declaration*
  - [FL-158](#), *Supporting Declaration for Attorney’s Fees and Costs* (or provide the information in a declaration)
  - [FL-319](#), *Request for Attorney’s Fees and Costs Attachment* (or provide the information in a declaration)
- If you plan on having witnesses testify at the hearing, you need this form:
  - [FL-321](#), *Witness List*



**To respond to a *Request for Order*, you must:**

**5 Complete the top part (caption) of the form**

Complete the top portion including your name, address, and telephone number, the court address, the names of all the parties in the case, and the case number. Also, print or type the same hearing date, time, and department that appears on the *Request for Order* (form FL-300).

**6 Specify a response to orders requested**

**Items 1–8:** Each item on the form matches the item numbers on the *Request for Order* (form FL-300). Complete item 1. Next, mark the same box that is marked on form FL-300. Then, specify if you consent (agree) or do not consent to (disagree with) the orders requested. If you disagree, describe the order you would like the court to make. *Note: You may file one form FL-150 to respond to items 3, 4, and 6.*

**Item 9:** Use the space to explain your responses to items 1–8. Include the reasons why you do not agree with the orders requested by the other party and why the court should make the orders you described. If you need more space, write your responses on a separate sheet of paper and attach it to the form (*Attached Declaration* (form MC-031) may be used for this purpose).

**Sign and date:** Print your name, sign, and write the date you signed form FL-320.

**7 Next steps: file or serve your paperwork**

You must file your paperwork with the court clerk at least 9 court days before the hearing. If the court orders a shorter time to file your papers, file them by the date specified in the order.

Make 2 copies of your original paperwork. Then, do one of the following before the filing deadline:

- Take your paperwork and copies to the court clerk to process (or e-file them, if available in your county). The clerk will keep the original and give you back copies with a court stamp on them. Have a stamped copy served; or
- Have an unstamped copy of your paperwork served *before* you take (or e-file) the originals and copies to the court clerk to file. Be sure the original documents are not served.

**8 Pay filing fees**

Generally, you do not have to pay a fee to file the *Responsive Declaration*. However, if you have never filed any papers in the case, you may have to pay a “first appearance fee,” which, in general, everyone has to pay when filing court papers in a case for the first time.

If you cannot afford to pay the filing fee, you can ask the court to waive the fees. To do so, complete and file form [FW-001](#), *Request to Waive Court Fees*, and form [FW-003](#), *Order on Court Fee Waiver*.

**9 Serve your papers on the other party**

“Service” is the act of giving your legal papers to all persons named as parties in the case so that they know what orders you want the court to make. *Note:* If a party has a lawyer in the case, the papers should be served on that party’s lawyer.



**10 How to “serve”**

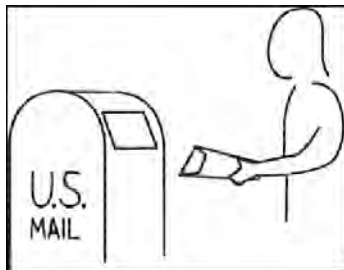
**Server.** You cannot serve the papers. Have someone else (who is at least 18 years old) do it. The “server” can be a friend, a relative who is not involved in your case, a county sheriff, or a professional process server.

**Personal service.**

Your papers may be served by “personal service.” Personal service means that your server walks up to each person to be served, makes sure they are the right person, and then gives a copy of all the papers to each person.

**Service by mail.**

“Service by mail” means that your server places copies of all the documents in a sealed envelope and mails them to the address of each party being served (or to the party’s lawyer, if applicable.) The server must be 18 years of age or over and must live or work in the county where the mailing took place.

**11 Deadline for service**

Personal service or service by mail on the other party must be completed at least *9 court days* before the court hearing. If the court has ordered a shorter time to serve your responsive papers, be sure to have them served by the date specified in the court order.

**12 Server must complete a *Proof of Service***

After personal service, the server should complete a form [FL-330](#), *Proof of Personal Service*. Form [FL-330-INFO](#), *Information Sheet for Proof of Personal Service*, has instructions to help the person complete the form.

After service by mail, the server should complete form [FL-335](#), *Proof of Service by Mail*. Form [FL-335-INFO](#), *Information Sheet for Proof of Service by Mail*, has instructions to help the person complete the form.

**13 File the *Proof of Service* before your hearing date**

The *Proof of Service* shows the judge that the person received a copy of your *Responsive Declaration to Request for Order*. Make three copies of the completed *Proof of Service*. Take the original and copies to the court clerk as soon as possible **before your hearing**.

The clerk will keep the original and give you back the copies stamped “Filed.” Bring a copy stamped “Filed” to your hearing. (If unstamped copies of your paperwork were served, you can file the completed *Proof of Service* when you file the original *Responsive Declaration*.)

**14 Participate in child custody mediation or child custody recommending counseling**

If the *Request for Order* includes a court order for you to attend mediation or child custody recommending counseling, the date, time, and location is found on page 1 of the *Request for Order*. For more information, read *Child Custody Information Sheet* (form [FL-313-INFO](#) or form [FL-314-INFO](#)).

**15 Get ready for your hearing**

- Take at least two copies of your documents and filed forms to the hearing. Include a filed *Proof of Service* form.
- Find more information about preparing for the hearing at the following webpage: [selfhelp.courts.ca.gov/tips-your-day-court](https://selfhelp.courts.ca.gov/tips-your-day-court).

**16 Still have questions or need help?**

- Contact the Family Law Facilitator or Self-Help Center for information, local rules, and referrals to local legal services providers. Go to [selfhelp.courts.ca.gov/court-based-self-help-services](https://selfhelp.courts.ca.gov/court-based-self-help-services).
- Talk to a lawyer if you want legal advice, someone to go to court with you, or other legal help. Find an attorney through your local bar association, the State Bar of California at [calbar.ca.gov](https://calbar.ca.gov), or the Lawyer Referral Service at 1-866-442-2529.
- For free and low-cost legal help (if you qualify), go to [lawhelpcalifornia.org](https://lawhelpcalifornia.org).



PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):		<b>FOR COURT USE ONLY</b>  Draft -  Not Approved by the Judicial Council  v. 02/25/25
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:		
<b>FINDINGS AND ORDER AFTER HEARING</b>		CASE NUMBER:

1. This proceeding was heard on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_ by Judge (name): \_\_\_\_\_  Temporary Judge
- On the order to show cause, notice of motion or request for order filed (date): \_\_\_\_\_ by (name): \_\_\_\_\_
- a.  Petitioner/plaintiff present  Attorney present (name): \_\_\_\_\_
- b.  Respondent/defendant present  Attorney present (name): \_\_\_\_\_
- c.  Other parent/party present  Attorney present (name): \_\_\_\_\_

**THE COURT ORDERS**

2. Custody and visitation/parenting time: As attached  on form FL-341  Other  Not applicable
3. Child support: As attached  on form FL-342  Other  Not applicable
4. Spousal or family support: As attached  on form FL-343  Other  Not applicable
5. Property orders: As attached  on form FL-344  Other  Not applicable
6. Attorney's fees: As attached  on form FL-346  Other  Not applicable
7. Other orders:  As attached  Not applicable
8. All other issues are reserved until further order of court.
9.  This matter is rescheduled for further hearing on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ in Dept.: \_\_\_\_\_ on the following issues:

Date: \_\_\_\_\_

  
 \_\_\_\_\_  
 JUDICIAL OFFICER

The order prepared by (specify): \_\_\_\_\_ is approved as conforming to the court order.

Date: \_\_\_\_\_

SIGNATURE OF  ATTORNEY FOR  PETITIONER / PLAINTIFF  RESPONDENT/DEFENDANT  OTHER PARENT/PARTY

Date: \_\_\_\_\_

SIGNATURE OF  ATTORNEY FOR  PETITIONER / PLAINTIFF  RESPONDENT/DEFENDANT  OTHER PARENT/PARTY

**FINDINGS AND ORDER AFTER HEARING**  
**(Family Law—Custody and Support—Uniform Parentage)**

**For your protection and privacy, please press the Clear This Form button after you have printed the form.**

**Print this form**

**Save this form**

**Clear this form**

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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### CHILD ABDUCTION PREVENTION ORDER ATTACHMENT

- TO  **Child Custody and Visitation (Parenting Time) Order Attachment (form FL-341)**  
 **Custody Order—Juvenile—Final Judgment (form JV-200)**  
 **Other (specify):**

1. **The court finds there is a risk that** *(specify name of party):* **will take the child**  
**without permission because that party** *(check all that apply):*

- a.  has violated—or threatened to violate—a custody or visitation (parenting time) order in the past.  
 b.  does not have strong ties to California.  
 c.  has done things that make it easy for him or her to take the children away without any permission, such as *(check all that apply):*  
 quit a job.  sold his or her home.  
 closed a bank account.  ended a lease.  
 sold or gotten rid of assets.  hidden or destroyed documents.  
 applied for a passport, birth certificate, or school or medical records.  
 Other *(specify):*
- d.  has a history of *(check all that apply):*  
 domestic violence.  
 child abuse.  
 not cooperating with the other parent or party in parenting.
- e.  has a criminal record.  
 f.  has family or emotional ties to another county, state, or foreign country.  
**(NOTE: If item "f" is checked, at least one other factor must be checked, too.)**

**THE COURT ORDERS, to prevent the party in item 1 from taking the children without permission:**

2.  **Supervised visitation (parenting time).** The terms are *(check one):*  
 as specified on attached [form FL-341\(A\)](#)  as follows:
3.  **The party in item 1 must post a bond for \$** \_\_\_\_\_ **. The terms of the bond are** *(specify):* \_\_\_\_\_
4.  **The party in item 1 must not move from the following locations with the children** without permission in writing from the other parent or party or a court order:  
 Current residence  Current school district *(specify):* \_\_\_\_\_  
 This county  Other *(specify):* \_\_\_\_\_
5.  **The party in item 1 must not travel with the children** out of *(check all that apply):*  
 this county.  the United States.  
 California.  Other *(specify):* \_\_\_\_\_
6.  **The party in item 1 must register this order** in the state of *(specify):* \_\_\_\_\_ before the children can travel to that state for visits.
7.  **The party in item 1 must not apply for a passport or any other vital document**, such as a visa or birth certificate, that can be used for travel.

**THIS IS A COURT ORDER.**

Page 1 of 2

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER:
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8.  **The party in item 1 must turn in all the children's passports and other vital documents in the party's possession or control as specified below** (*List the documents that must be turned in. Include the details for turning in the documents to the court, one of the attorneys, the other party, or another person*):
9.  **The party in item 1 must give the other parent or party the following before traveling with the children:**
- The children's travel itinerary
  - Copies of round-trip airline tickets
  - Addresses and telephone numbers where the children can be reached at all times
  - An open airline ticket for the other parent in case the children are not returned
  - Other (*specify*):
10.  **The party in item 1 must notify the embassy or consulate** of (*specify country*): \_\_\_\_\_ about this order and provide the court with proof of that notification within (*specify number*): \_\_\_\_\_ days.
11.  **The party in item 1 must get a custody and visitation (parenting time) order** equivalent to the most recent U.S. order before the children may travel to that country for visits. The court recognizes that foreign orders may be changed or enforced according to the laws of that country.
12.  **Enforcing the order.** The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at (*phone number and address*): \_\_\_\_\_
13.  **Other orders** (*specify*): \_\_\_\_\_

14. This order is valid in other states and in any country that has signed the Hague Convention on Child Abduction.

**NOTICE TO AUTHORITIES IN OTHER STATES AND COUNTRIES**

This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (Fam. Code, § 3400 et seq.) and the Hague Convention on Civil Aspects of International Child Abduction (**22 U.S.C. § 9001 et seq.**). If jurisdiction is based on other factors, they are listed above in item 13.

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER

**THIS IS A COURT ORDER.**

PETITIONER: RESPONDENT:	CASE NUMBER:
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**SPOUSAL, DOMESTIC PARTNER, OR FAMILY SUPPORT ORDER ATTACHMENT**

- TO  **Findings and Order After Hearing (form FL-340)**  **Judgment (form FL-180)**  
 **Restraining Order After Hearing (CLETS-OAH) (form DV-130)**  **Other (specify):**  
 **Parties' Stipulation (Written Agreement) dated (specify):** \_\_\_\_\_

**THE COURT FINDS**  **THE PARTIES STIPULATE (AGREE)**

Specify if this attachment is about an order for temporary support or a judgment for permanent support (check either 1 or 2 below).

1.  **This attachment relates to temporary spousal or domestic partner support.**

- a.  This order attachment modifies an order or agreement for temporary support entered on (date):  
b. **Net income.** The parties' monthly income and deductions are as follows (complete (1), (2), or both):

		Total gross monthly <u>income</u>	Total monthly <u>deductions</u>	Total hardship <u>deductions</u>	Net monthly disposable <u>income</u>
(1) Petitioner:	<input type="checkbox"/> receiving TANF/CalWORKS	\$	\$	\$	\$
(2) Respondent:	<input type="checkbox"/> receiving TANF/CalWORKS	\$	\$	\$	\$

- c.  A printout of a computer calculation of the parties' financial circumstances is attached for all required items not filled out above (for temporary support only).

2.  **This attachment relates to a judgment for permanent spousal or domestic partner support.**

- a.  This order attachment modifies a judgment entered on (date):  
b.  The parties were married for (specify): \_\_\_\_\_ years and \_\_\_\_\_ months.  
c.  The parties were registered as domestic partners or the equivalent for (specify): \_\_\_\_\_ years and \_\_\_\_\_ months.  
d. Family Code section 4320 factors (check either (1) or (2) below, then complete (3)).  
(1)  The parties agreed to some or all of the factors as stated in *Spousal or Domestic Partner Support Declaration Attachment* (form FL-157) or in a similar written declaration filed with the court.  
(2)  The court considered the parties' declarations and supporting documents regarding each Family Code section 4320 factor as stated in testimony, in *Spousal or Domestic Partner Support Declaration Attachment* (form FL-157), or in a similar written declaration filed with the court.  
(3) The parties' agreement, or the court's findings, on Family Code section 4320 factors are (specify):  
(A)  included in [Attachment 2d\(3\)\(A\)](#).  
(B)  included in *Spousal or Domestic Partner Support Factors Under Family Code Section 4320—Attachment* (form [FL-349](#)).  
(C)  specified below:

**THIS IS A COURT ORDER.**

Page 1 of 3

PETITIONER: RESPONDENT:	CASE NUMBER:
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2. e.  The parties are both self-supporting.
- f.  The standard of living established during the marriage or domestic partnership was *(describe)*:  [See Attachment 2f.](#)

g.  The court finds that the parties have knowingly, intelligently, and voluntarily entered into a stipulation.

**3. Jurisdiction**

- a.  The issue of support for the  petitioner  respondent is reserved for later determination.
- b.  The court terminates jurisdiction over the issue of support for the  petitioner  respondent.
- c.  The court's jurisdiction over the issue of support will end on *(specify date)*:

**4. Support amount and payment terms**

- a. The  petitioner  respondent must pay to the  petitioner  respondent as  temporary  permanent  spousal support  family support  domestic partner support the following amount each month: \$
- b. Support payments will begin *(date)*:
- c. Support payments are:
- (1)  payable through *(specify end date)*:
  - (2)  payable on the:                      day of each month.
  - (3)  Other *(specify)*:

d.  Support must be paid by  check, money order, or cash  other method *(specify)*:

**5. Earnings assignment**

- a.  An earnings assignment for the support will issue as requested by  petitioner  respondent.  
**Note:** The payor of spousal, family, or domestic partner support is responsible for the payment of support directly to the recipient until support payments are deducted from the earnings, and for any support not paid by the assignment.
- b.  Service of the earnings assignment is stayed provided the payor is not more than *(specify number)*:                      days late in paying spousal, family, or domestic partner support.

**6. Termination (end) of support**

- a. By law, unless the parties otherwise agree in writing, the support payor's obligation to pay support will end when either party dies or the support payee remarries or registers a new domestic partnership.
- b.  **Parties' agreement**  
The parties agree that the support payor's obligation to pay support will not end as described in 6a. Instead, the support payor's obligation to pay support will continue until *(specify below the terms of your agreement about when the support payee's obligation to pay support will end)*:

**THIS IS A COURT ORDER.**

PETITIONER: RESPONDENT:	CASE NUMBER:
----------------------------	--------------

7.  **Family support orders.** This order is for family support.
- a. Both parties must complete and file with the court a *Child Support Case Registry Form* (form [FL-191](#)) within 10 days of the date of this order.
  - b. The parents must notify the court of any change of information submitted within 10 days of the change by filing an updated form.
  - c. A *Notice of Rights and Responsibilities Regarding Child Support* (form FL-192) must be attached to the court order.
8.  **Notice of change of employment**  
The parties must inform each other in writing within 10 days of any change of employment, and include the new employer's name, address, and telephone number.
9.  **Duty to become self-supporting**
- a. Notice: It is the goal of this state that each party must make reasonable good-faith efforts to become self-supporting as provided in Family Code section 4320. Failure to make reasonable good-faith efforts may be one of the factors considered by the court as a basis for modifying or terminating support.
  - b.  The  petitioner  respondent should make reasonable good-faith efforts to become self-supporting.
  - c.  Other (*specify*):
10.  **Attachment to Restraining Order After Hearing (form DV-130)**
- a. This form is attached to *Restraining Order After Hearing (CLETS-OAH) (Order of Protection)* (form DV-130).
  - b. The orders issued on this form (FL-343) do not expire on termination of the restraining orders issued on form DV-130.
11.  **Other orders or agreements (*specify*):**

**NOTICE:** Any party required to pay support must pay interest on overdue amounts at the “legal” rate, which is currently 10 percent.

**THIS IS A COURT ORDER.**

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER:
---	--------------

**AFFIDAVIT OF FACTS CONSTITUTING CONTEMPT**  
**Financial and Injunctive Orders**  
**Attachment to Order to Show Cause and Affidavit for Contempt (form FL-410)**

1. Orders for child support, spousal support, family support, attorney fees, and court and litigation costs (*separately itemize each default on installment payments*):

DATE DUE	TYPE OF ORDER AND DATE FILED	PAYABLE TO	AMOUNT ORDERED	AMOUNT PAID	AMOUNT DUE
<input type="checkbox"/> Continued on Attachment 1.			TOTAL AMOUNT ORDERED	TOTAL AMOUNT PAID	TOTAL AMOUNT DUE
Summary of contempt counts alleged (including all attachments):  Child support: Spousal support: Family support: Attorney fees: Court and other costs:  <b>Total</b>			\$	\$	\$

2.  Other orders (*specify which order was violated, how the order was violated, and when the violation occurred*):

Continued on Attachment 2.

3.  Other material facts (*specify*):

Continued on Attachment 3.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_ (TYPE OR PRINT NAME)
▶
\_\_\_\_\_ (SIGNATURE)

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Submit to JC (without circulating for comment)**

**Title of proposal:** Family Law: Summary Dissolution Forms

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*  
Revise forms FL-800 and FL-810

*Committee or other entity submitting the proposal:*  
Family and Juvenile Law Advisory Committee

*Staff contact (name, phone and email):* Gabrielle Selden, 415-865-8085, [gabrielle.selden@jud.ca.gov](mailto:gabrielle.selden@jud.ca.gov)

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): October 22, 2024; Amended November 26, 2024

Project description from annual agenda: Item 12. Project Summary: Update form FL-800 to reflect change in cost of living per Family Code section 2400(b), as a technical change.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:* The committee requests an effective date of April 28, 2025, for forms FL-800 and FL-810, so that the Judicial Council may comply, as quickly as possible, with its obligation under Family Code section 2400(b) to compute and publish any increase in the dollar limitations for filing a summary dissolution petition in family court.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)  
This report or invitation to comment was:
  - reviewed by EGG on (date) 02/27/25
  - approved by Office Director (or Designee) (name) Anna Maves, Principal Managing Attorney on (date) 02/24/2025*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)  
This proposal:
  - includes forms that have been translated.
  - includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
  - includes forms that staff will request be translated.
- **Form Descriptions** (for any report with new or revised forms)
  - The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is



checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:*

For business meeting on April 25, 2025

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Title	Agenda Item Type
Family Law: Summary Dissolution Forms	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise forms FL-800 and FL-810	April 28, 2025
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	February 27, 2025
Hon. Tari L. Cody, Cochair	Contact
Hon. Stephanie E. Hulsey, Cochair	Gabrielle Selden, 415-865-8085 <a href="mailto:gabrielle.selden@jud.ca.gov">gabrielle.selden@jud.ca.gov</a>

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### Executive Summary

The Family and Juvenile Law Advisory Committee recommends revising two family law summary dissolution forms, which are mandated by Family Code section 2400 to reflect any increase in the California Consumer Price Index.

### Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective April 28, 2025:

1. Revise *Joint Petition for Summary Dissolution* (form FL-800) to increase the limitation on assets from \$53,000 to \$57,000; and
2. Revise the instructional booklet titled *Summary Dissolution Information* (form FL-810) to reflect the dollar increases made in form FL-800.

The revised forms are attached at pages 5–28.

## Relevant Previous Council Action

Commencing January 1, 1985, the Judicial Council has adjusted the maximum dollar limits of community and separate property obligations, to reflect any change in the value of the dollar. Then, commencing January 1, 1993, the Judicial Council has adjusted the fair market value of community and separate property assets for the same purpose. The maximum dollar limits for a summary dissolution proceeding are adjusted biannually (January 1 of each odd-numbered year). Most recently, effective September 1, 2023, the Judicial Council revised forms FL-800 and FL-810 to reflect an increase in the maximum limits for community and separate property obligations, from \$6,000 to \$7,000. In addition, the maximum limits for community and separate property assets were increased from \$47,000 to \$53,000 (Link A).

## Analysis/Rationale

Family Code section 2400(b) requires that on January 1 of each odd-numbered year, the dollar limitations on items indicated in Family Code section 2400(a)(6) and (a)(7) be adjusted to reflect any change in the value of the dollar (Link B).<sup>1</sup> Section 2400(b) requires that the Judicial Council compute and publish the adjusted amounts. The adjustments are computed by multiplying the base amount by the percentage change in the California Consumer Price Index (the calculation is attached at page 4). The results are then rounded to the nearest thousand dollars and published in summary dissolution forms FL-800 and FL-810.

According to the calculation shown on page 4, an increase in the annual average of the California Consumer Price Index between 2022 and 2024 requires a \$4,000 increase in the total fair market value of community and separate property assets for summary dissolution actions and no increase in the limit for unpaid community and separate property debts. Currently, to use the summary dissolution process, the parties' community property and separate property assets must not exceed \$53,000. This limit will increase to \$57,000. The current limit for unpaid community and separate property debt must not exceed \$7,000. However, there will be no increase in this limit because, when rounded to the nearest thousand dollars, the figure (\$7,498.36) would not be rounded up to \$8,000, but rounded down to \$7,000. To reflect these changes:

- *Joint Petition for Summary Dissolution* (form FL-800) would be modified to increase the limitation on assets from \$53,000 to \$57,000, at items 9 and 10;
- The instructional booklet titled *Summary Dissolution Information* (form FL-810) would be revised on pages 3, 5, 6, 7, 8, and 9; and
- Both forms would also be translated into standard Chinese, Korean, Spanish, and Vietnamese.

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<sup>1</sup> The California Department of Industrial Relations published the annual average figures for 2024 on February 14, 2025.

### **Policy implications**

The key policy implication is to ensure that forms FL-800 and FL-810 correctly reflect the current dollar values based on the California Consumer Price Index.

### **Comments**

This proposal was not circulated for public comment because the changes are noncontroversial, involve technical revisions, and are therefore within the Judicial Council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

### **Alternatives considered**

No alternatives were considered because Family Code section 4200(b) requires the Judicial Council to compute and make an adjustment to the amount of unpaid obligations of the parties and the total fair market value of community property or separate property assets based on changes to the California Consumer Price Index every two years for summary dissolution proceedings.

### **Fiscal and Operational Impacts**

The committee recognizes that implementation of the revisions will require courts to incur standard reproduction costs for the forms, and update forms packets that courts make available to parties in their self-help centers. In addition, courts will need to (1) notify and train court staff; (2) update online content and (4) ensure that court clerks are trained about the allowed increase in valuation of assets and obligations so that the Summary Dissolution Petition is not rejected. No negative fiscal or operational impacts are anticipated as a result of the forms changes.

### **Attachments and Links**

1. *Asset and Debt Limits in Summary Dissolution Proceedings (Fam. Code, § 2400)*, at page 4
2. Forms FL-800 and FL-810, at pages 5–28
3. Attachment A: Consumer Price Index Tables
4. Link A: Judicial Council of Cal., Advisory Com. Rep., *Family Law: Summary Dissolution Forms* (Aug. 24, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12246442&GUID=20FE5792-7A32-4686-AC98-C3FF3EFF4813>
5. Link B: Family Code section 2400, [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=FAM&sectionNum=2400](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=FAM&sectionNum=2400)

**Asset and Debt Limits in Summary Dissolution Proceedings  
(Fam. Code, § 2400)**

**Formula**

Under Family Code section 2400(b), the dollar limits for community property debts and community and separate property assets in actions for Summary Dissolution shall be adjusted by multiplying the base amount by the percentage change in the California Consumer Price Index as compiled by the Department of Industrial Relations, with the result rounded to the nearest thousand dollars.

$$\text{Adjusted limit} = \left[ \frac{\text{CCPI(AA) 2024} - \text{CCPI(AA) 2022}}{\text{CCPI(AA) 2022}} + 1 \right] \times \text{Published limit}$$

**Definition**

*CCPI (AA)* is the California Consumer Price Index, Annual Average, as established by the California Department of Industrial Relations.

**April 28, 2025, calculation and adjustment for community debts**

Under Family Code section 2400(a)(6), effective April 28, 2025, there is no change to the maximum dollar amount for unpaid obligations incurred by either or both of the parties after their date of marriage, excluding the amount of any unpaid obligation with respect to an automobile community debts. The calculation is as follows:

$$\$7,498.36 = \left[ \frac{341.951 - 319.224}{319.224} + 1 \right] \times \$7,000.00$$

The adjusted limit under Family Code section 2400(b), when rounded to the nearest thousand dollars, remains the same as the current published limit at \$7,000.

**April 28, 2025, calculation and adjustment for community and separate property assets**

Under Family Code section 2400(a)(7), effective April 28, 2025, there is a \$4,000 increase in the total fair market value of community and separate property assets, excluding all encumbrances and automobiles, including any deferred compensation or retirement plan. The calculation is as follows:

$$\$56,773.31.47 = \left[ \frac{341.951 - 319.224}{319.224} + 1 \right] \times \$53,000.00$$

The adjusted limit under Family Code section 2400(b), when rounded to the nearest thousand dollars, increases in the current published limit to \$57,000.



PETITIONER 1: PETITIONER 2:	CASE NUMBER:
--------------------------------	--------------

13. (Check whichever statement is true.)
- a.  We have no community assets or liabilities.
  - b.  We have signed an agreement listing and dividing all our community assets and liabilities and have signed all the papers necessary to carry out our agreement. A copy of our agreement is attached to the *Judgment of Dissolution and Notice of Entry of Judgment* (form [FL-825](#)).
14. Irreconcilable differences have caused the irremediable breakdown of our marriage and/or domestic partnership, and each of us wishes to have the court dissolve our marriage and/or domestic partnership without our appearing before a judge.
15. a.  Petitioner 1 desires to have a former name restored. That name is (specify):  
b.  Petitioner 2 desires to have a former name restored. That name is (specify):
16. We each give up our rights to appeal and to move for a new trial after the effective date of our *Judgment of Dissolution*.
17. **Each of us forever gives up any right to spousal or domestic partner support from the other.**
18. We each agree to keep the court and each other informed of any change of mailing address or phone number occurring within six months from the filing of this joint petition using the *Notice of Change of Address or Other Contact Information* (form MC-040).
19. We are submitting the original and three copies of the proposed *Judgment of Dissolution and Notice of Entry of Judgment* (form FL-825) and two stamped envelopes together with this petition. One envelope is addressed to Petitioner 1 and the other to Petitioner 2.
20. We agree that this matter may be determined by a commissioner sitting as a temporary judge.

21. **Mailing address of Petitioner 1**

22. **Mailing address of Petitioner 2**

Name:

Name:

Address:

Address:

City:

City:

State:

State:

Zip Code:

Zip Code:

23. Number of pages attached: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attached documents are true and correct.

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attached documents are true and correct.

Date:

Date:

▶ \_\_\_\_\_

▶ \_\_\_\_\_

(SIGNATURE OF PETITIONER 1)

(SIGNATURE OF PETITIONER 2)

**NOTICES**

**Your marriage and/or domestic partnership will end six months from the date of filing this joint petition. Both petitioners will receive a stamped copy from the court of the *Judgment of Dissolution and Notice of Entry of Judgment* (form [FL-825](#)) stating the effective date of your dissolution. Until the effective date specified on form FL-825 for the dissolution of your marriage and/or domestic partnership, either one of you can stop this joint petition by filing a *Notice of Revocation of Petition for Summary Dissolution* (form [FL-830](#)). If you stop this joint petition, you will STILL be married or in a domestic partnership.**

Dissolution may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar instrument. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner's life insurance policy. You should review these matters, as well as any credit card accounts, other credit accounts, insurance policies, and credit reports to determine whether they should be changed or whether you should take any other actions. However, some changes may require the agreement of your spouse or domestic partner or a court order. (See Fam. Code, §§ 231–235.)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

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# SUMMARY DISSOLUTION INFORMATION

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This booklet is available in English and Spanish from the office of the court clerk in the superior court of each county in California, or at [courts.ca.gov/documents/fl810.pdf](https://courts.ca.gov/documents/fl810.pdf) and [courts.ca.gov/documents/fl810s.pdf](https://courts.ca.gov/documents/fl810s.pdf).

Este folleto puede obtenerse en inglés y en español en la Dirección de Registro Público del Condado (Office of the Court Clerk) o en la Corte Superior (Superior Court) de cada condado en el estado de California o en el sitio [courts.ca.gov/documents/fl810.pdf](https://courts.ca.gov/documents/fl810.pdf) y [courts.ca.gov/documents/fl810s.pdf](https://courts.ca.gov/documents/fl810s.pdf).



# CONTENTS

	Page
I. WHAT IS THIS BOOKLET ABOUT? .....	1
II. SOME TERMS YOU NEED TO KNOW .....	2
III. WHO CAN USE THE SUMMARY DISSOLUTION PROCEDURE? .....	3
IV. AN IMPORTANT DIFFERENCE BETWEEN SUMMARY DISSOLUTION AND REGULAR DISSOLUTION .....	4
V. HOW DO YOU FIGURE OUT THE VALUE OF YOUR PROPERTY AND THE AMOUNT OF YOUR DEBTS? .....	5
VI. SAMPLE WORKSHEET FOR DETERMINING VALUE OF SEPARATE PROPERTY ...	6
SAMPLE WORKSHEET FOR DETERMINING VALUE AND DIVISION OF COMMUNITY PROPERTY ...	8
SAMPLE WORKSHEET FOR DETERMINING COMMUNITY OBLIGATIONS AND THEIR DIVISION ....	10
VII. WHAT SHOULD BE INCLUDED IN THE PROPERTY SETTLEMENT AGREEMENT? .....	12
VIII. SAMPLE PROPERTY SETTLEMENT AGREEMENT .....	13
IX. WHAT STEPS DO YOU HAVE TO TAKE TO GET A SUMMARY DISSOLUTION? .....	16
X. WHAT YOU SHOULD KNOW ABOUT REVOCATION .....	18
XI. SHOULD YOU SEE A LAWYER? .....	19
XII. SOME GENERAL INFORMATION .....	20

## I. WHAT IS THIS BOOKLET ABOUT?

This booklet describes a way to end a marriage, a domestic partnership, or both through a kind of divorce called **summary dissolution**.

The official word for **divorce** in California is **dissolution**. There are two ways of getting a divorce, or dissolution, in California. The usual way is called a **regular dissolution**.

Summary dissolution is a shorter and easier way. But not everybody can use it. Briefly, a summary dissolution is possible for couples who

1. have no children together who are minors (a minor is a child who is under 18 years of age);
2. have been married and/or in a domestic partnership five years or less (this means that the time between the date you married or registered your domestic partnership and the date you separated from your spouse or domestic partner is five years or less);
3. do not own very much;
4. do not owe very much;
5. do not want spousal or domestic partner support from each other; and
6. have no disagreements about how their belongings and their debts are going to be divided up once they are no longer married to or in a domestic partnership with each other.

With this procedure, you will not have to appear in court. You may not need a lawyer, but it is in your best interest to see a lawyer about the ending of your marriage or domestic partnership. See page 19 for more details about how a lawyer can help you.

For a summary dissolution, you prepare and file *Joint Petition for Summary Dissolution* ([form FL-800](#)) with the superior court clerk in your county. You will also prepare and turn in *Judgment of Dissolution and Notice of Entry of Judgment* ([form FL-825](#)), together with a property settlement agreement.\* Your divorce, ending your marriage and/or your domestic partnership, will be final six months after you file your *Joint Petition for Summary Dissolution*. During the six months while you wait for your divorce to become final, either of you can stop the process of summary dissolution if you change your mind. One of you can file *Notice of Revocation of Petition for Summary Dissolution* ([form FL-830](#)), and that will stop the divorce. If either one of you still wants to get divorced, then that person will have to file for a regular dissolution with a *Petition—Marriage/Domestic Partnership* ([form FL-100](#)) unless you both agree to start a new summary dissolution process.

**IMPORTANT!** Domestic partners who qualify for a summary dissolution can choose to use the process described in this booklet OR a special summary dissolution for domestic partners through the California Secretary of State. You can find the California Secretary of State forms at [www.sos.ca.gov](http://www.sos.ca.gov). **There is no filing fee for this process.** If you choose to file to terminate your domestic partnership through the Secretary of State, do not use this guide.

This booklet will tell you

1. who can use the summary dissolution procedure;
2. what steps you must take to get a summary dissolution;
3. when it would help to see a lawyer; and
4. what risks you take when you use this procedure rather than the regular dissolution procedure.

If you wish to use the summary dissolution procedure, you must, at the time you file the joint petition, sign a statement that says you have read and understood this booklet. It is important for you to read the whole booklet very carefully.

Save this booklet for at least six months if you decide to start a summary dissolution. If you decide you want to stop the summary dissolution process and revoke your petition, it will tell you how to do that.

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### SPECIAL WARNING

If you are an undocumented person who became a lawful permanent resident on the basis of your marriage to a U.S. citizen or to a lawful permanent resident, obtaining a dissolution within two years of your marriage may lead to your deportation. You should consult a lawyer before obtaining a divorce.

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\* A property settlement agreement is an agreement that the two of you write or have someone write for you after you fill out the worksheets in this booklet. The agreement spells out how you will divide what you own and what you owe.

## II. SOME TERMS YOU NEED TO KNOW

In the following pages, you will often see the terms *community property*, *separate property*, and *community obligations*. Those terms are explained in this section.

As a married couple or domestic partners, the two of you are, in the eyes of the law, a single unit. There are certain things that you **own together** rather than separately. And there may be certain debts that you **owe together**. If one of you borrows money or buys something on credit, the other one can be made to pay.

If your marriage or domestic partnership breaks up, you become two separate individuals again. Before that can happen, you have to decide what to do with the things you *own* as a couple and the money you *owe* as a couple.

The laws that cover these questions contain the terms *community property*, *separate property*, and *community obligations*. To understand what these terms mean, you should have a clear idea of the **length of time you lived together as spouses or domestic partners**. This is the period between the day you married or registered your domestic partnership and the day you separated.

It may not be easy to decide exactly when you separated. In most cases, the day of the separation is the day the couple stopped living together. However, you may want to choose the day when you definitely decided to get a divorce and took some action to show this (like telling your spouse or domestic partner that you wanted a divorce).

### Community Property

Community property is everything spouses or registered domestic partners **own together**.

In most cases that includes

1. money you now have that either of you earned during the time you were living together as spouses or domestic partners; and
2. anything either of you bought with money earned during that period. It does not matter if only one of you earned or spent the money.

### Separate Property

Separate property is everything spouses or registered domestic partners **own separately from each other**.

In most cases that includes

1. anything either of you owned before you got married or registered your domestic partnership;
2. anything either of you earned or received after your separation; and
3. anything either of you received, as a gift or by inheritance, at any time.

### Community Obligations

Community obligations are the debts spouses or registered domestic partners **owe together**.

In most cases that includes anything you still owe on any debts either of you acquired during the time you were living together as spouses or registered domestic partners. (For instance, if you bought furniture on credit while you were married or domestic partners and living together, the unpaid balance is a part of your community obligations.) It usually does not matter if the debt was in the name of one spouse or domestic partner only, like on a credit card.

**NOTE:** If you have any questions about your separation date or about your property, it would be good to see a lawyer as these issues can be complicated. Also, if you lived together before your marriage or domestic partnership, you may wish to see a lawyer about possible additional rights either of you may have. For more information, read page 19 "*Should You See a Lawyer?*"

### III. WHO CAN USE THE SUMMARY DISSOLUTION PROCEDURE?

You can use the summary dissolution procedure only if **all** of the following statements are true about you at the time you file *Joint Petition for Summary Dissolution* (form [FL-800](#)). Check this list very carefully. If even *one* of these statements is not true for you, you cannot get a divorce in this way.

- 1. We have both read this booklet, and we both understand it.
- 2. We have been married or registered as domestic partners five years or less between the date that we got married and/or registered our domestic partnership and the date we separated. (*Note that if you are trying to end both a marriage AND a domestic partnership at the same time through a summary dissolution, both your marriage and domestic partnership must have lasted five years or less.*)
- 3. No children were born to the two of us together before or during our marriage and/or domestic partnership.
- 4. We have no adopted children under 18 years of age.
- 5. Neither one of us is pregnant.
- 6. Neither of us owns any part of any land or buildings.
- 7. Our community property is not worth more than \$57,000. (Do not count cars in this total.)
- 8. Neither of us has separate property worth more than \$57,000. (Do not count cars in this total.)
- 9. The total of our community obligations (other than cars) is \$7,000 or less.

**For deciding on statements 7, 8, and 9, use the guide on pages 5–11.**

- 10. a. At least one of us has lived in California for the past six months or longer *and* has lived in the county where we are filing for dissolution for the past three months or longer; or
  - b. We are only asking to end a domestic partnership registered in California; or
  - c. We are the same sex and were married in California but are not residents of California. Neither of us lives in a place that will allow us to divorce. We are filing this case in the county in which we married.
- 11. We have prepared and signed an agreement that states how we want our community assets and debts to be divided between us (or declared in the joint petition that we do not have community assets and debts).
- 12. We have both signed the joint petition and all other papers needed to carry out this agreement.
- 13. Together with the joint petition, we will turn in to the clerk of the superior court the judgment of dissolution forms and property settlement agreement, along with two self-addressed stamped envelopes.
- 14. We both want to end the marriage and/or domestic partnership because of serious, permanent differences.
- 15. We have both agreed to use the summary dissolution procedure rather than the regular dissolution procedure.
- 16. We are both aware of the following facts:
  - a. There is a six-month waiting period, and either of us can stop the divorce at any time during this period.
  - b. The date that appears on *Judgment of Dissolution of Marriage and Notice of Entry of Judgment* (form [FL-825](#)) we receive from the court as the "effective date" of the dissolution is the date our divorce will be final, unless one of us has asked to stop the divorce prior to that effective date.
  - c. After the dissolution becomes final, neither of us has any right to expect money or support from the other except that which is included in the property settlement agreement.
  - d. By choosing the summary dissolution procedure, we give up certain legal rights that we would have if we had used the regular dissolution procedure. These rights are explained on page 4.

#### IV. AN IMPORTANT DIFFERENCE BETWEEN SUMMARY DISSOLUTION AND REGULAR DISSOLUTION

With a regular dissolution, either spouse or domestic partner can ask for a court hearing or trial. And with a regular dissolution, if either spouse or domestic partner is unhappy with the judge's final decision, it is possible to challenge that decision. This can be done, for example, by asking for a new trial. It is also possible to **appeal** the decision by taking the case to a higher court.

**With a summary dissolution, there is no trial or hearing.** Couples who choose this method of getting a divorce do not have the right to ask for a new trial (since there is no trial) or the right to appeal the case to a higher court.

There are, however, some cases in which a divorce agreement under a summary dissolution can be challenged. You will have to see a lawyer about this. The court *may* have the power to set aside the divorce if you can show that one of the following things happened:

**1. You were treated unfairly in the property settlement agreement.**

This is possible if you find out that the things you agreed to give your spouse or domestic partner were much more valuable than you thought at the time of the dissolution.

**2. You went through the dissolution procedure against your will.**

This is possible if you can show that your spouse or domestic partner used threats or other kinds of unfair pressure to get you to go along with the divorce.

**3. There are serious mistakes in the original agreement.**

Some kinds of mistakes can make the dissolution invalid, but you will have to go to court to prove the mistakes. It may be that one or both of you had a lot of property that you had forgotten about when you drew up the property settlement agreement. Or maybe a bank account mentioned in the agreement had much more money or much less money in it than your agreement states.

**4. Neither of you complied with preliminary disclosure requirements.**

California law requires that you fully share all information about your property and debts as well as your income. You have to share this information before you sign your property settlement agreement.

In summary dissolution cases, this means that you and your spouse or domestic partner must each complete and exchange (1) *Income and Expense Declaration* ([form FL-150](#)), (2) all tax returns you filed in the last two years, and (3) the property worksheets on pages 7, 9, and 11 (or *Declaration of Disclosure* ([form FL-140](#)) and either *Schedule of Assets and Debts* ([form FL-142](#)) or *Property Declaration* ([form FL-160](#))).

In addition, each spouse or domestic partner must complete and give to the other spouse or domestic partner a written statement about any investment opportunity, business opportunity, or other income-producing opportunity that developed since the date you separated which was based on any investment made, significant business done, or other income-producing opportunity that was presented to you between the date you married or became domestic partners and the date you separated.

Correcting mistakes and unfairness in a summary dissolution proceeding can be expensive, time-consuming, and difficult. It is very important for both of you to be honest, cooperative, and careful when you or your lawyers do the paperwork for the dissolution.

## V. HOW DO YOU FIGURE OUT THE VALUE OF YOUR PROPERTY AND THE AMOUNT OF YOUR DEBTS?

Section III, page 3, lists statements that must be true if you want to use the summary dissolution procedure.

**Statement 7 reads: “Our community property is not worth more than \$57,000.”**

Your community property is the money and things you own jointly as spouses or domestic partners. This was explained on page 2. The value of your community property is determined by adding together (1) the amount of **money** you have as community property and (2) the “fair market value” of the **possessions** you have as community property.

The **fair market value** is an estimate of the amount of money you could get if you sold these items to a stranger—for example, through a classified ad in the newspaper or listings on the internet (online). It does **not** mean what you paid for it originally, and it does **not** mean how much it would cost you to replace it if you lost it.

One way of estimating the fair market value of your goods is to use prices for equivalent items in other people's classified ads in newspapers or online for secondhand goods.

Three kinds of items go into figuring out your community property:

1. Money (as in bank accounts and credit union accounts);
2. Things you own outright (furniture that is already paid for, for example); and
3. Things you are buying on credit.

When you include things you still owe money on, subtract the amount of money you still owe on them from the fair market value.

You should not include the value of a car in this list.

**Statement 8 reads: “Neither of us has separate property worth more than \$57,000.”**

Separate property is property that each spouse or domestic partner owns separately. The term is explained on page 2. Separate property includes the same kinds of things used in determining community property. And again, you should not include cars in this list.

**Statement 9 reads: “The total of our community obligations (other than cars) is \$7,000 or less.”**

Your community obligations are the debts that you and your spouse or domestic partner owe jointly. The term is explained on page 2. List all the debts you have that you took on while you were living together as spouses or domestic partners. If you borrowed money before you got married or registered your domestic partnership, you do **not** have to include that in your community obligations. If you bought furniture on credit after you got married or registered your domestic partnership but before you separated, you **have to** include the amount of money you still owe on the furniture. If you bought a stereo after you separated, you do **not** have to include that.

Do not include car loans in this list.

**NOTICE:** The law for summary dissolution allows you to leave out cars when you figure out whether you are **eligible** for this kind of divorce. But if you do have cars as part of your community property, you still have to decide who is going to own them (and who is going to pay for them) after your divorce. You must include them in your property settlement agreement.

**Worksheets to help you figure out these amounts are found on pages 6–11.** You may use the following forms in this booklet to figure out the total of your community and separate property assets and obligations: (1) the worksheet on page 7 (Value of Separate Property), (2) the worksheet on page 9 (Value and Division of Community Property), and (3) the worksheet on page 11 (Community Obligations and Their Division). Sample forms showing how to fill out those worksheets are on pages 6, 8, and 10.

PETITIONER 1: Sam	CASE NUMBER:
PETITIONER 2: Alex	

**VI. SAMPLE WORKSHEET FOR DETERMINING VALUE OF SEPARATE PROPERTY**

This worksheet will help you determine whether you are eligible to use the summary dissolution procedure. The total fair market value of the **separate property of one spouse/domestic partner** cannot be more than \$57,000. The total fair market value of the **separate property of the other spouse/domestic partner** cannot be more than \$57,000. Separate property is anything that either of you owned or earned before you got married or registered your domestic partnership, anything you earned or bought after your separation, and anything that was given to just one of you as a gift during your marriage or domestic partnership. Do not include cars.

*Note: The information on this form is for an imaginary couple, Sam and Alex, who are married. (When you fill out your worksheet, use your own information.)*

<b>A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.</b>				<b>Sam's Property—Fair Market Value</b>	<b>Alex's Property—Fair Market Value</b>
<b>Item</b>					
Credit union savings—Sam (before marriage)				\$420.00	
Savings bonds—Alex (bought before marriage)					\$250.00
Retirement plan—Sam (before marriage and after separation)				\$1,500.00	
Retirement plan—Alex (before marriage and after separation)					\$1,300.00
<b>B. Items owned outright</b>					
<b>Item</b>					
Clothes—Sam (bought before marriage)				\$350.00	
Stocks—Sam (birthday present from father)				\$375.00	
Furniture—Sam (owned before marriage)				\$460.00	
Camera—Alex (owned before marriage)					\$229.00
Smartwatch—Alex (bought after separation)					\$142.00
Clothes—Alex (bought after separation)					\$250.00
<b>C. Items being bought on credit</b>					
<b>Item</b>	<b>Fair Market Value</b>	<b>Minus Amount Owed</b>	<b>=</b>	<b>Net Fair Market Value</b>	
Television—Sam (after separation)	\$400.00	\$350.00	\$50.00	\$50.00	
Clothes—Sam (after separation)	\$220.00	\$170.00	\$50.00	\$50.00	
<b>GRAND TOTALS: Sam and Alex SEPARATE PROPERTY</b>				\$3,205.00	\$2,171.00

PETITIONER 1:	CASE NUMBER:
PETITIONER 2:	

**VI. WORKSHEET FOR DETERMINING VALUE OF SEPARATE PROPERTY**

This worksheet will help you determine whether you are eligible to use the summary dissolution procedure. The total fair market value of the **separate property of one spouse/domestic partner** cannot be more than \$57,000. The total fair market value of the **separate property of the other spouse/domestic partner** cannot be more than \$57,000. Separate property is anything that either of you owned or earned before you got married or registered your domestic partnership, anything you earned or bought after your separation, and anything that was given to just one of you as a gift during your marriage or domestic partnership. Do not include cars.

<b>A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.</b>	<b>PETITIONER 1 Property— Fair Market Value (FMV)</b>	<b>PETITIONER 2 Property— Fair Market Value (FMV)</b>				
Item						
<b>B. Items owned outright</b>						
Item						
<b>C. Items being bought on credit</b>						
Item	Fair Market Value	Minus Amount Owed	=	Net Fair Market Value		
<b>GRAND TOTALS: PETITIONER 1'S AND PETITIONER 2'S SEPARATE PROPERTY</b>						



PETITIONER 1: Sam	CASE NUMBER:
PETITIONER 2: Alex	

**VI. SAMPLE WORKSHEET FOR DETERMINING VALUE AND DIVISION OF COMMUNITY PROPERTY**

*Note: The information on this form is for an imaginary couple, Sam and Alex, who are married. (When you fill out your worksheet, use your own information.)*

This side of the sheet will help you determine whether you are **eligible** to use the summary dissolution procedure. The grand total value of your community property cannot be more than \$57,000.

This side of the sheet will help you decide on a fair division of your property. It will help you prepare your property settlement agreement.

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.				Sam Receives	Alex Receives
Item	Amount				
Home Savings Credit Union savings account	\$150.00			\$150.00	
Life insurance (cash value)	\$250.00			\$250.00	
Retirement Plan—Sam	\$600.00			\$600.00	
Retirement Plan—Alex	\$500.00				\$500.00
Home Savings Credit Union checking account	\$180.00				\$180.00
<b>Subtotal A</b>				\$1,000.00	\$680.00
B. Items you own outright (for example, stocks and bonds, sports gear, furniture, household items, tools, interests in businesses, jewelry; do not include cars)					
Item	Fair Market Value			Sam Receives	Alex Receives
Furniture & furnishings—Sam's apartment	\$775.00			\$775.00	
Furniture & furnishings—Alex's apartment	\$300.00				\$300.00
Terriers season tickets	\$285.00				\$285.00
Savings bonds	\$200.00			\$200.00	
Jewelry—Sam	\$200.00			\$200.00	
Pet parrot and cage	\$40.00				\$40.00
<b>Subtotal B</b>				\$1,175.00	\$625.00
C. Items you are buying on credit (for example audio equipment, appliances, furniture, tools; do not include cars)					
Item	Fair Market Value	Minus Amount Owed	= Net Fair Market Value	Sam Receives	Alex Receives
Home entertainment system	\$305.00	\$150.00	\$155.00		\$155.00
Television	\$400.00	\$100.00	\$300.00		\$300.00
Golf clubs	\$350.00	\$50.00	\$300.00		\$300.00
<b>Subtotal C</b>				\$0.00	\$755.00
<b>Grand total value of community property = A + B + C</b>				\$2,175.00	\$2,060.00

PETITIONER 1:  PETITIONER 2:	CASE NUMBER:
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**VI. WORKSHEET FOR DETERMINING VALUE AND DIVISION OF COMMUNITY PROPERTY**

This side of the sheet will help you determine whether you are **eligible** to use the summary dissolution procedure. The grand total value of your community property cannot be more than \$57,000.

This side of the sheet will help you decide on a fair division of your property. It will help you prepare your property settlement agreement.

A. Bank accounts, credit union accounts, retirement funds, cash value of insurance policies, etc.						
	Item		Amount	PETITIONER 1 Receives	PETITIONER 2 Receives	
			<b>Subtotal A</b>			
B. Items you own outright (for example, stocks and bonds, sports gear, furniture, household items, tools, interests in businesses, jewelry; do not include cars)						
			Fair Market Value	PETITIONER 1 Receives	PETITIONER 2 Receives	
			<b>Subtotal B</b>			
C. Items you are buying on credit (for example audio equipment, appliances, furniture, tools; do not include cars)						
	Item	Fair Market Value	Minus Amount Owed =	Net Fair Market Value	PETITIONER 1 Receives	PETITIONER 2 Receives
			<b>Subtotal C</b>			
			<b>Grand total value of community property = A + B + C</b>			

PETITIONER 1: Sam	CASE NUMBER:
PETITIONER 2: Alex	

**VI. SAMPLE WORKSHEET FOR DETERMINING COMMUNITY OBLIGATIONS AND THEIR DIVISION**

*Note: The information on this form is for an imaginary couple, Sam and Alex, who are married. (When you fill out your worksheet, use your own information and make sure you indicate if you are married, in a domestic partnership, or both.)*

This side of the worksheet will help you determine whether you are **eligible** to use the summary dissolution procedure. The total amount of your community obligations (debts) cannot be more than \$7,000. Do not include car loans. Be sure you include any other debts you took on while you were living together as spouses or domestic partners. List the amount you owe on the items from your **Worksheet for Determining Value and Division of Community Property**. Then add all other debts and bills, including loans, charge accounts, medical bills, and taxes you owe.

This side of the worksheet will help you decide on a fair way to divide up your community obligations. You will use this information in preparing a **property settlement agreement**.

Item	Amount Owed	Sam Will Pay	Alex Will Pay
Audio equipment	\$150.00		\$150.00
Television	\$100.00		\$100.00
Golf clubs	\$50.00		\$50.00
Dr. R.C. Himple	\$74.00		\$74.00
Richardson Drug Store	\$32.00		\$32.00
College loan	\$500.00		\$500.00
Cogwell's charge account	\$275.00	\$275.00	
Mister Charge account	\$68.00		\$68.00
Green's Furniture	\$123.00	\$123.00	
Dr. S. Roberts	\$37.00	\$37.00	
Sam's parents	\$150.00	\$150.00	
<b>TOTAL</b>	\$1,559.00	\$585.00	\$974.00

**Sam's Share  
of Community  
Obligations**

**Alex's Share  
of Community  
Obligations**

PETITIONER 1: PETITIONER 2:	CASE NUMBER:
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**VI. WORKSHEET FOR DETERMINING COMMUNITY OBLIGATIONS AND THEIR DIVISION**

This side of the worksheet will help you determine whether you are **eligible** to use the summary dissolution procedure. The total amount of your community obligations (debts) cannot be more than \$7,000. Do not include car loans. Be sure you include any other debts you took on while you were living together as spouses or domestic partners. List the amount you owe on the items from your **Worksheet for Determining Value and Division of Community Property**. Then add all other debts and bills, including loans, charge accounts, medical bills, and taxes you owe.

This side of the worksheet will help you decide on a fair way to divide up your community obligations. You will use this information in preparing a **property settlement agreement**.

	Amount Owed	Petitioner 1 Will Pay	Petitioner 2 Will Pay
<b>TOTAL</b>			

**Petitioner 1**  
**Share of Community**  
**Obligations**

**Petitioner 2**  
**Share of Community**  
**Obligations**

## VII. WHAT SHOULD BE INCLUDED IN THE PROPERTY SETTLEMENT AGREEMENT?

**NOTE:**

If after reviewing the community property worksheets on the previous pages you and your spouse or domestic partner agree that you do not have community assets or liabilities, you do not need to complete a property settlement agreement. Skip to page 16.

A property settlement agreement should contain at least five parts:

**I. Preliminary Statement**

This part identifies the spouses or domestic partners, states that the marriage and/or domestic partnership is being ended, and states that both spouses or domestic partners agree on the details of the agreement.

**II. Division of Community Property**

This part has two sections:

1. What the one spouse or domestic partner receives; and
2. What the other spouse or domestic partner receives.

**III. Division of Community Obligations**

This part has two sections:

1. The amount one spouse or domestic partner must pay and to whom the amount must be paid.
2. The amount the other spouse or domestic partner must pay and to whom the amount must be paid.

**IV. Waiver of Spousal Support**

This part states that each spouse or domestic partner gives up all rights of financial support from the other.

**V. Date and Signature**

Both spouses or domestic partners must write the date and sign the agreement.

**An example of a property settlement agreement is found on pages 13–15.**

## VIII. SAMPLE PROPERTY SETTLEMENT AGREEMENT

**Go to page 19** if you have questions about debt and liability, or potential bankruptcy, and want to find free or low-cost legal help or hire a lawyer to prepare or review your property settlement agreement.

Below is a sample of an acceptable **property settlement agreement**. You may use it as a model for your own agreement or you may complete another version of the agreement found at [courts.ca.gov/documents/propagreement.pdf](https://courts.ca.gov/documents/propagreement.pdf).

- The parts that are underlined will fit most cases. You can copy these parts for your own agreement. Since many of the words have special meanings in the law, you may wish to talk to a lawyer if you want to change the words.
  - The parts printed in regular type (not underlined) are based on an imaginary couple. You will need to replace these parts with items that apply to your situation.
  - The numbered notes in *italics* in the right-hand column or at the bottom of the page are **not** part of the agreement. They are there to help you understand it. (Do not include the references to notes 1 and 2 in your agreement.)
  - The sample below is for a married couple, so it refers to marriage. If you are ending a domestic partnership, you should say that in your agreement. If you are ending both a marriage and a domestic partnership with the same person, say both and write in the dates of both your marriage and the registration of your domestic partnership.
- Remember** • You can divide the items any way you want (even if one of you receives more of the marital assets).
- As long as you both agree, the court will accept it.\*
  - If you cannot agree about the division of your property and debts, you should file a regular divorce.

### SAMPLE PROPERTY SETTLEMENT AGREEMENT

I. We are Alex P. Smedlap, hereafter called Alex, and Sam T. Smedlap, hereafter called Sam.<sup>[1]</sup> We were married on October 7, 2018, and separated on December 5, 2022. Because irreconcilable differences<sup>[2]</sup> have caused the permanent breakdown of our marriage, we have made this agreement together to settle once and for all what we owe to each other and what we can expect from each other. Each of us states here that nothing has been held back and that we have honestly included everything we could think of in listing the money and goods that we own; and each of us states here that we believe the other has been open and honest in writing this agreement. Each of us agrees to sign and exchange any papers that might be needed to complete this agreement.

<sup>1</sup> *If you prefer, you can also write "hereafter called Spouse A [or Spouse B]" or "hereinafter called Partner A [or Partner B]," whichever applies. Just make sure it is clear to whom you are referring.*

<sup>2</sup> *This means there are problems in your marriage or domestic partnership that you think can never be solved. **Irreconcilable differences** is the only legal grounds for getting a **summary dissolution**.*

\* See Family Code section 2550. At the trial in a regular dissolution, a judge would set a value on and divide community property and debts into two approximately equal parts as provided by the Family Code.

Each of us also understands that even after *Joint Petition for Summary Dissolution* is filed, this entire agreement will be canceled if either of us revokes the dissolution proceeding.<sup>3</sup>

<sup>3</sup> *This means that the property agreement is a part of the dissolution proceeding. If either of you decides to stop the dissolution proceeding by turning in Notice of Revocation of Petition for Summary Dissolution (form FL-830) (see page 18), this entire agreement will be canceled.*

## II. Division of Community Property<sup>4</sup>

We divide our community property as follows:

<sup>4</sup> *Community property is property that you own as a couple (see page 2).*

### 1. Alex transfers to Sam as Sam's sole and separate property:

*If you have no community property, replace Part II with the simple statement "**We have no community property.**"*

- A. All household furniture and furnishings located at the apartment at 180 Needlepoint Way, San Francisco.<sup>5</sup>
- B. All rights to cash in savings account at Home Savings Credit Union.
- C. All cash value in life insurance policy insuring life of Sam through Sun Valley Life Insurance.
- D. All retirement plan benefits earned by Sam during marriage.
- E. Two U.S. Savings Bonds, Series E.
- F. Sam's jewelry.
- G. 2015 Chevrolet 4-door sedan.

<sup>5</sup> *If the furniture and household goods in one apartment are to be divided, they may have to be listed item by item.*

### 2. Sam transfers to Alex as Alex's sole and separate property:

- A. All household furniture and furnishings located at the apartment on 222 Bond Street, San Francisco.
- B. All retirement plan benefits earned by Alex during marriage.
- C. Season tickets to Golden State Terriers basketball games.
- D. Home entertainment system.
- E. One set of golf clubs.
- F. One television.
- G. 2014 Ford Explorer SUV.
- H. One pet parrot named Nikki, plus cage and parrot food.
- I. All rights to cash in checking account at Bank of America.

III. Division of Community Property (Debts)<sup>6</sup>

1. Alex will pay the following debts and will not at any time hold Sam responsible for them:<sup>7</sup>

- A. Mister Charge account.
- B. Debt to Dr. R.C. Himple.
- C. Debt to Richardson Drug Store.
- D. Debt to UC Berkeley for college education loan to Alex.<sup>8</sup>
- E. Debt to Golf Store for golf clubs.
- F. Debt to Everything Electronics for TV and audio equipment.
- G. Debt to Used Ford Store for 2014 Ford Explorer SUV.

2. Sam will pay the following debts and will not at any time hold Alex responsible for them:<sup>7</sup>

- A. Cogwell's charge account.
- B. Debts to Sam's parents.
- C. Debt to Green's Furniture.
- D. Debt to Dr. S. Roberts.
- E. Debt to Friendly Finance Company for 2015 Chevrolet 4-door sedan.

IV. Waiver of Spousal/Partner Support<sup>9</sup>

Each of us waives any claim for spousal/domestic partner support now and for all time.

V. Dated:

Dated:

\_\_\_\_\_  
Alex P. Smedlap

\_\_\_\_\_  
Sam T. Smedlap

<sup>6</sup> If you have no unpaid debts, replace Part III with the statement "**We have no unpaid community obligations.**"

<sup>7</sup> A challenge when dividing community debt is that a company you both owe money to, like a credit card company or mortgage company, does not have to honor your agreement. If the person who agreed to pay the joint debt doesn't pay or misses a payment, the company may seek payments from you both and it may hurt both of your credit ratings.

You may consider options other than splitting the joint debt, like (1) paying off the debt, if possible; (2) selling items to pay off the debt; (3) taking out a line of credit to pay off the joint debt; or (4) having the person most able to pay the joint debt take over the payments, but give them more property. For more information, click [here](#) or go to: <https://selfhelp.courts.ca.gov/divorce/property-debts>.

<sup>8</sup> Even though California is a community property state, if a spouse or domestic partner is not named on a student loan taken out during a marriage or domestic partnership, and if the couple gets a divorce within 10 years of marriage or registration of the domestic partnership, then the spouse or domestic partner who is not the student-borrower will usually not be responsible for repaying the loan.

<sup>9</sup> "Waives" means that you each give up the right to have your spouse or domestic partner support you financially.



## IX. WHAT STEPS DO YOU HAVE TO TAKE TO GET A SUMMARY DISSOLUTION?

If after reviewing the information in this booklet, you feel your marriage or your domestic partnership will qualify for a summary dissolution, you should carefully go through the following 15 steps. You can fill out the forms, worksheets, and agreements in the summary dissolution section

- online, for free, at [selfhelp.courts.ca.gov/divorce-california/summary-dissolution/](http://selfhelp.courts.ca.gov/divorce-california/summary-dissolution/); or
- with neat printing.

1. \_\_\_\_\_ Complete and give your spouse or domestic partner a list of community and separate property assets and obligations. This information is needed to comply with the requirement to exchange a preliminary declaration of disclosure in summary dissolution cases. Use the forms listed below in 1a or 1b for this purpose.
  - a. \_\_\_\_\_ *Declaration of Disclosure* (form FL-140) and *Schedule of Assets and Debts* (form FL-142) (or *Property Declaration* (form FL-160)). These forms are not included in this booklet. You may find them online at [courts.ca.gov/forms.htm](http://courts.ca.gov/forms.htm). Give one copy to your spouse or domestic partner and keep one for your records; or
  - b. \_\_\_\_\_ The worksheets in this booklet on pages 7, 9, and 11.
    - (1) \_\_\_\_\_ Turn to page 7 and complete the Worksheet for Determining Value of Separate Property. See page 6 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse or domestic partner and keep one for your records.
    - (2) \_\_\_\_\_ Turn to page 9 and complete the Worksheet for Determining Value and Division of Community Property. See page 8 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse or domestic partner and keep one for your records.
    - (3) \_\_\_\_\_ Turn to page 11 and complete the Worksheet for Determining Community Obligations and Their Division. See page 10 for an example. Make one extra copy of your worksheet after it has been completed. Give one copy to your spouse or domestic partner and keep one for your records.
2. \_\_\_\_\_ Along with the documents listed in step 1, give your spouse or domestic partner all tax returns you filed in the last two years. Give one copy to your spouse or domestic partner and keep one copy for your records.
3. \_\_\_\_\_ Fill out *Income and Expense Declaration* (form FL-150). You each need to fill out this form and give it to your spouse or domestic partner before you sign your property settlement agreement or complete your divorce. Make one extra copy of your form after it has been completed. Give one copy to your spouse or partner and keep one for your records.
4. \_\_\_\_\_ Complete a written statement about business and investments opportunities and give it to your spouse or domestic partner before you sign a property settlement agreement or complete your divorce. Keep a copy for your records.

**Note:** The written statement must describe any investment opportunity, business opportunity, or other income-producing opportunity that developed since the date you separated that was based on any investment made, significant business done, or other income-producing opportunity that was presented to you between the date you married or became domestic partners and the date you separated (there is no specific form for this purpose).
5. \_\_\_\_\_ Do you have community assets or debts?
  - a. \_\_\_\_\_ Yes. Complete your property settlement agreement. Both of you must date and sign it. Make two extra copies. See pages 12–15 for an example and instructions.

**Note:** You can find a version of a property settlement agreement that you can fill out online at: [courts.ca.gov/documents/propagreement.pdf](http://courts.ca.gov/documents/propagreement.pdf)
  - b. \_\_\_\_\_ No. Check box 13a on *Joint Petition for Summary Dissolution* (form FL-800) if you have no community assets or liabilities. No separate agreement is needed, but you must complete steps 1 through 4 above.

6. \_\_\_\_ Fill out *Joint Petition for Summary Dissolution* (form FL-800). Both of you must sign and date this petition. Make two extra copies of this form. (This is the form you need to **START** the process.)
 

**Note:** When signing your joint petition and your property settlement agreement, you are signing these documents under penalty of perjury under the laws of the State of California, which is the same as being sworn to testify in court. **You may not sign each other's name.**
7. \_\_\_\_ Make three sets of forms that include copies of your property settlement agreement and a copy of your *Joint Petition for Summary Dissolution* (form FL-800).
8. \_\_\_\_ Fill out the *Judgment of Dissolution and Notice of Entry of Judgment* (form FL-825) as noted below and make three copies of it.
  - a. \_\_\_\_ Fill out the caption (top part of the judgment form).
  - b. \_\_\_\_ Check item 1b or 1c if either of you wants your name restored. Specify the name to be restored.
  - c. \_\_\_\_ Fill in the address of Petitioner 1 and Petitioner 2 on page 2.
9. \_\_\_\_ If you have a property settlement agreement, staple it to the *Judgment* (form FL-825). Make three sets.
10. \_\_\_\_ Make one extra copy of a blank *Notice of Revocation of Petition for Summary Dissolution* (form FL-830) so each of you has one, and hold on to it. This is the form you would need to **STOP** the process. You may wish to use it during the waiting period if you change your mind and want to stop the process. You should keep one copy. See page 18 for more information.
11. \_\_\_\_ Take your *Joint Petition for Summary Dissolution* (form FL-800), *Judgment of Dissolution and Notice of Entry of Judgment* (form FL-825), and all of your copies to the superior court clerk's office together with two self-addressed, stamped envelopes (one addressed to each spouse or domestic partner). The location of your superior court clerk's office can be found in the phone book or online at [courts.ca.gov/find-my-court.htm](http://courts.ca.gov/find-my-court.htm). The clerk will stamp the date on all copies, will keep one copy of each document, and will return the other two to you. One copy is for each spouse or domestic partner.
12. \_\_\_\_ Pay the superior court clerk's filing fee. If you cannot afford to pay the filing fee, you may qualify for a fee waiver based on your income. If one of you qualifies for a fee waiver but the other one does not, the one who does not qualify will have to pay the filing fee. To request a fee waiver, see *Information Sheet on Waiver of Court Fees and Costs* (form FW-001-INFO). You will need to prepare a *Request to Waive Court Fees* (form FW-001) and an *Order on Court Fee Waiver* (form FW-003).
13. \_\_\_\_ The clerk will file your joint petition and return the copies to you and your spouse or partner. The court may also process the *Judgment of Dissolution* at that time, in the next few weeks, or after the six-month waiting period has expired and give or mail it to you and your spouse or domestic partner. The *Judgment of Dissolution and Notice of Entry of Judgment* (form FL-825) will have a date on which the dissolution ending your marriage, domestic partnership, or both will be final. That is the effective date of your dissolution and it will be six months from the date you file your joint petition. The six-month waiting period is mandated by law.
14. \_\_\_\_ Put your copies of all documents in a safe place.
15. \_\_\_\_ Wait for six months. If either one of you wants to stop the summary dissolution case, fill out and file a *Notice of Revocation of Petition for Summary Dissolution* (form FL-830) before the six months run out.
16. \_\_\_\_ On the day that appears on your *Judgment of Dissolution and Notice of Entry of Judgment* (form FL-825) as the effective date of your dissolution:
  - a. Your marriage or domestic partnership (or both) is ended;
  - b. The agreements you made in your property settlement agreement are binding—you will then own the property assigned to you, and you will have to pay the bills assigned to you;
  - c. Except for those agreements, you and your spouse or domestic partner have no further obligations to each other; and
  - d. You are legally free to remarry or register a new domestic partnership.

**REMEMBER:** Either of you can stop the process by filling out *Notice of Revocation of Petition for Summary Dissolution* (form FL-830) and bringing it to the superior court clerk during the six-month waiting period before the date your dissolution is effective according to the *Judgment of Dissolution and Notice of Entry of Judgment* (form FL-825) that you received from the court.

## X. WHAT YOU SHOULD KNOW ABOUT REVOCATION

It is important to realize that the *Notice of Revocation of Petition for Summary Dissolution* (form FL-830) is not just another form you are supposed to fill out and turn in.

**Do not fill it out and do not bring it to the superior court clerk unless you want to stop the divorce!**

### **What is the notice of revocation for?**

This is the form you need if you want to stop the divorce. **Revoking** the agreement is canceling or stopping it.

### **What reasons are there for revoking?**

There are three reasons you might have for wanting to stop the summary dissolution:

1. You have decided to return to your spouse or domestic partner and continue the marriage or domestic partnership;
2. You want to change over to the regular dissolution as a better way of getting your divorce; or
3. You learn that one of you is pregnant.

### **Why might you want to change over to the regular dissolution?**

You may come to believe that you will get a better settlement if you go to court than with the agreement you originally made with your spouse or domestic partner. (Maybe, after thinking it over, you feel you are not receiving a fair share of the community property.)

### **How do you do it?**

At the time you picked up the joint petition forms, you and your spouse or partner also received a blank *Notice of Revocation of Petition for Summary Dissolution* (form FL-830). Fill out the form, sign it, make two copies, and bring them to the superior court clerk's office. You must also send a copy of form FL-830 to your spouse or domestic partner by first-class mail, postage prepaid, to their last known address. You can do this alone. This form does not need your spouse's or partner's signature.

If you do this at any time during the six-month waiting period, before the effective date of your dissolution, you will stop this divorce proceeding.

### **Can the dissolution be stopped once the waiting period is over?**

NO. After the date the court wrote on your *Judgment of Dissolution and Notice of Entry of Judgment* (form FL-825) as the date your marriage or domestic partnership is ended (the date the divorce is effective), you can no longer revoke the dissolution by filing the revocation form. You may have other legal options, but you will need to talk to a lawyer about them.

**If you change over to a regular dissolution, what happens to the part of the waiting period that has passed?** You can apply the amount of time you waited on the summary dissolution to your regular dissolution. For example, if four months went by before you decided to revoke the summary dissolution, the waiting period for the regular dissolution will be shortened by four months.

However, you can save this time **only** if you file for a regular dissolution within 90 days of revoking the summary dissolution.

## XI. SHOULD YOU SEE A LAWYER?

### **Must you have a lawyer to use the summary dissolution procedure?**

No. You can do the whole thing by yourselves. But it would be wise to see a lawyer before you decide to do it yourselves. You should not rely on this booklet only. It is not intended to take the place of a lawyer.

### **If you want legal advice, does that mean you have to hire a lawyer?**

No. You may hire a lawyer, of course, but you can also just visit a lawyer once or twice for advice on how to carry out the dissolution proceeding. Do not be afraid to ask the lawyer in advance what fee will be charged. It may be surprisingly inexpensive to have a lawyer review your papers, help you with a part of your divorce, or handle all of your divorce.

### **Do you have to accept your lawyer's advice?**

No, you do not. And if you are not pleased with what one lawyer advises, you can feel free to go to another one.

### **How can a lawyer help you with the summary dissolution procedure?**

First, a lawyer can advise you, on the basis of your personal situation, whether you ought to use the regular dissolution procedure rather than the summary dissolution procedure.

Second, a lawyer can read your property settlement agreement to help you figure out if you have thought of everything you should have. (It is easy to forget things you do not see very often, such as savings bonds and safe deposit boxes.)

Third, in many situations it is not easy to figure out what should count as community property and what should count as separate property. Suppose one of you had money before the marriage (or domestic partnership) and put it into a bank account in both of your names and then both of you used money from that account. It may not be easy to decide how the money remaining in that account should be divided. A lawyer can advise you on how to make these decisions.

Fourth, there may be special situations in which your property settlement is not covered by the sample agreement on pages 13–15 or the fillable agreement online.

A lawyer can help you put the agreement in words that are legally precise and cannot be challenged or misinterpreted later.

### **Where can you find a lawyer?**

You can locate organizations that can help you find a lawyer online or in your telephone directory under "Attorneys," "Attorney Referral Service," or "Lawyer Referral Service." In many cases you will be able to find an attorney who will charge only a small fee for your first visit.

You can find information about free or low-cost services through the county bar association in your county. The California Lawyer's Association website [www.calawyers.org/bar-relations/california-bar-associations-and-organizations/](http://www.calawyers.org/bar-relations/california-bar-associations-and-organizations/) can help you find bar associations in your county.

You can find information about certified lawyer referral services on the *Self-Help Guide to California Courts* at [selfhelp.courts.ca.gov/getting-legal-help](http://selfhelp.courts.ca.gov/getting-legal-help).

You can also find information about certified lawyer referral services at the State Bar website [www.calbar.ca.gov](http://www.calbar.ca.gov).

## XII. SOME GENERAL INFORMATION

### **What about income taxes?**

If you have filed a joint tax return, both of you will still be responsible for paying any unpaid taxes even after your divorce.

If you are receiving a tax refund, you should agree in the property settlement agreement on how it should be divided.

The amount of money that you will owe, or that will be taken out of your paycheck, for income taxes may be greater after you are single again. If that is the case, you should prepare yourself for a bigger tax obligation.

It would be a good idea to consult the Internal Revenue Service or a tax expert on how the divorce is going to affect your taxes. You should probably do this before you make your property settlement agreement.

### **What about bank accounts and credit cards?**

If you have a joint bank account, it may be a good idea to close it when you separate and get two individual bank accounts. That way it will be easier to keep your money separate.

If you have credit card accounts that you both have been using, you should destroy the cards and take out separate accounts.

### **What about cars?**

If both of your names are on a title to a car and you agree that one of you is going to own the car, you need to take action to change the ownership. You should call or visit the Department of Motor Vehicles to find out how to do that. You should also talk to the lender to get the debt into one person's name and change the insurance coverage after both the title and debt are transferred.

### **What if your spouse or domestic partner does not pay the debts as agreed?**

If your spouse or domestic partner does not pay a debt as agreed, the person who loaned the money may be able to collect it from you. But then a court may order your spouse or domestic partner to reimburse you. If you have any reason to worry about this, a lawyer can explain your rights to you.

### **Can you take back your former name?**

If you changed your name when you were married or registered your domestic partnership, you have the right to give up that name and get your former name back. You can do this by requesting it in the joint petition. If you do not request this in the joint petition, you can file a form called *Ex Parte Application for Restoration of Former Name After Entry of Judgment and Order* (form FL-395). Your spouse or domestic partner cannot make you change your name.

### **What if I am not happy with my final judgment?**

When your divorce is final, all your rights and duties connected with your marriage or domestic partnership have ended and you cannot appeal. But if you decide later that you were cheated or pressured by your spouse or domestic partner, or if you believe that a mistake was made in the paperwork connected with the divorce, the court may be able to set aside the divorce. A lawyer can explain your rights.

**CALIFORNIA CONSUMER PRICE INDEX (1955-2024)**

ALL ITEMS (1982 - 1984 = 100)

Year	Month	All Urban Consumers	Urban Wage Earners and Clerical Workers
<b>2024</b>	<b>Annual</b>	<b>341.951</b>	<b>330.689</b>
2024	December	344.295	332.708
2024	October	343.575	332.293
2024	August	343.108	331.734
2024	June	342.856	331.398
2024	April	342.734	331.848
2024	February	338.496	327.386
<b>2023</b>	<b>Annual</b>	<b>331.804</b>	<b>321.192</b>
2023	December	334.395	323.412
2023	October	335.150	324.753
2023	August	334.027	323.581
2023	June	332.035	321.431
2023	April	330.049	319.184
2023	February	327.819	317.154
<b>2022</b>	<b>Annual</b>	<b>319.224</b>	<b>310.424</b>
2022	December	323.148	313.159
2022	October	324.819	315.900
2022	August	322.275	313.374
2022	June	322.043	313.931
2022	April	316.847	308.468
2022	February	311.048	302.122
<b>2021</b>	<b>Annual</b>	<b>297.371</b>	<b>288.595</b>
2021	December	306.109	297.426
2021	October	302.793	294.211
2021	August	299.815	291.317
2021	June	297.447	288.784
2021	April	294.274	285.139
2021	February	289.632	280.644
<b>2020</b>	<b>Annual</b>	<b>285.315</b>	<b>275.568</b>
2020	December	287.367	277.885
2020	October	286.843	277.443
2020	August	286.388	276.751
2020	June	284.835	274.921
2020	April	283.006	273.050
2020	February	284.886	274.917
<b>2019</b>	<b>Annual</b>	<b>280.638</b>	<b>270.813</b>
2019	December	282.594	272.901
2019	October	283.901	274.640
2019	August	281.247	271.221
2019	June	280.956	270.988
2019	April	280.275	270.470

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Protective Orders: New Civil Retail Crime Restraining Order

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RT-100, RT-109, RT-115, RT-116, RT-120, and RT-130; approve forms RT-100-INFO and RT-120-INFO

*Committee or other entity submitting the proposal:*

Civil and Small Claims Advisory Committee

*Staff contact (name, phone and email):* James Barolo, 415-865-8928, james.barolo@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): October 22, 2024

Project description from annual agenda: Develop form recommendations as appropriate. AB 3209 creates two new protective orders. The bill authorizes a court, when sentencing a person for an offense involving retail theft from an establishment, to issue a criminal protective order prohibiting a person from entering the retail establishment. The bill also authorizes a prosecuting attorney representing a retail establishment and specified individuals to file a petition for the issuance of a civil protective order against a person who has been arrested two or more times at the same retail establishment. Existing criminal protective orders forms should be revised, and additional forms may need to be created for the new protective order types.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

AB 3209 took effect January 1, 2025.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

The Criminal Law Advisory Committee also has a proposal before the Rules Committee to implement parts of AB 3209.

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) February 13, 2025

approved by Office Director (or Designee) (name) Michael Giden  
on (date) February 18, 2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)
  - The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).
  
- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.





# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:*

For business meeting on April 25, 2025

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Title

Protective Orders: New Civil Retail Crime Restraining Order

Report Type

Action Required

Effective Date

July 1, 2025

Rules, Forms, Standards, or Statutes Affected  
Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RT-100, RT-109, RT-115, RT-116, RT-120, and RT-130; approve forms RT-100-INFO and RT-120-INFO

Date of Report

February 25, 2025

Contact

James Barolo, 415-865-8928  
[james.barolo@jud.ca.gov](mailto:james.barolo@jud.ca.gov)

Recommended by

Civil and Small Claims Advisory Committee  
Hon. Donald J. Proietti, Chair

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### Executive Summary

The Civil and Small Claims Advisory Committee recommends amending three rules of the California Rules of Court, adopting six Judicial Council forms for mandatory use, and approving two information sheets in a new forms series to implement recent legislation creating a new restraining order based on two or more alleged acts of retail crime.

### Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective July 1, 2025:

1. Amend California Rules of Court, rules 1.51, 3.1160, and 3.1162 to apply existing procedural provisions for civil restraining orders to new retail crime restraining orders, including mandatory use of *Confidential Information for Law Enforcement* (form CLETS-001), service deadlines, briefing alternatives, and service requirements for those who appear at hearings remotely;

2. Adopt *Petition for Retail Crime Restraining Order* (form RT-100), *Notice of Court Hearing* (form RT-109), *Request to Continue Hearing* (form RT-115), *Order on Request to Continue Hearing* (form RT-116), *Response to Petition for Retail Crime Restraining Order* (form RT-120), and *Retail Crime Restraining Order* (form RT-130) for mandatory use in retail crime restraining order proceedings; and
3. Approve *How Do I Get an Order to Prohibit Retail Crime?* (form RT-100-INFO) and *How Can I Respond to a Petition for Retail Crime Restraining Order?* (form RT-120-INFO) as optional information sheets for use in retail crime restraining order proceedings.

The proposed amended rules and new forms are attached at pages 8–31.

### **Relevant Previous Council Action**

Rule 1.51 was adopted effective January 1, 2011, to provide direction to the public and the courts on how *Confidential Information for Law Enforcement* (form CLETS-001) was to be used, who had access to the information on it, and how long courts had to retain the form. That rule was last amended in 2018 to include out-of-state, tribal court, Canadian, and gun violence protective orders to its provisions. The council adopted a predecessor rule to rule 3.1160 in the 1980s to provide procedural provisions for civil harassment restraining orders. The rule has been amended over the years to add types of protective orders to its provisions and was last amended in 2022 to reflect alternative service options for civil harassment restraining order actions. Rule 3.1162 was adopted effective January 1, 2024, to provide clarity for service requirements if the restrained party appeared remotely at the hearing where a protective order issued and has not been amended since.

As required by statute, the council provides forms and instructions for use in protective order matters. The forms have been revised when changes to the law required revisions and in response to suggestions from the public, judicial officers, and court professionals. The council has not previously adopted or approved forms for retail crime restraining orders as such orders only became part of California law in 2024.

### **Analysis/Rationale**

In 2024 the Legislature enacted Assembly Bill 3209 (Stats. 2024, ch. 169),<sup>1</sup> which created retail crime restraining orders. Specifically, under Penal Code section 490.8(e),<sup>2</sup> an attorney representing a retail establishment, a prosecuting attorney, a city attorney, or county counsel may request a restraining order against somebody who has been arrested or cited at least two times for committing certain offenses.<sup>3</sup> A restraining order prohibiting the respondent from entering the

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<sup>1</sup> AB 3209 is available at [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB3209](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB3209).

<sup>2</sup> Unless otherwise stated, all further statutory references are to the Penal Code.

<sup>3</sup> These offenses are shoplifting (§ 459.5); any theft, including a violation of section 487 or 488, from a retail establishment; organized retail theft (§ 490.4); vandalism of a retail establishment (§ 594); or any assault or battery of a retail establishment employee, including a violation of section 240, 242, or 245.

retail establishment for up to two years may be issued if the court finds by a preponderance of the evidence both that the respondent committed the offenses and that there is a substantial likelihood that the individual will return to the retail establishment. If the retail establishment is part of a chain or franchise, the court may also prohibit entry to other locations of the retail establishments within a specified geographic range. Before issuing an order, the court must consider whether the retail establishment is the only place that sells basic life necessities within one mile of where the respondent lives or otherwise creates an undue hardship for the respondent.

In addition to creating the new retail crime restraining orders, AB 3209 also provides, under Family Code section 6380, that the California Department of Justice be immediately notified of specified information about an issued retail crime restraining order. The transmittal of such information for other restraining orders is currently achieved through the California Law Enforcement Telecommunications System (CLETS) and the California Restraining and Protective Order System (CARPOS).

### **Recommended Forms**

To implement AB 3209, the committee recommends adoption and approval of a new civil retail crime prevention form series, with forms designated by the prefix “RT.”<sup>4</sup> The recommended form series includes a petition and information sheet, a notice of hearing, a request for continuance, an order on the request for continuance, a response and information sheet, and an order form.<sup>5</sup> The recommended forms follow the naming and numbering conventions, and the structure, of existing restraining order forms.

Because of statutory differences for the new retail crime restraining orders, however, the recommended forms differ from existing forms in several significant ways. For example, the respondent may request court-appointed counsel on the response form (form RT-120).<sup>6</sup> Relatedly, recommended *Request to Continue Court Hearing* (form RT-115) and the corresponding order (form RT-116) include the respondent not yet receiving appointed counsel as a reason for continuance. Additionally, because a retail crime restraining order is based on the respondent having been arrested or cited for crimes and responding to such allegations may result in self-incrimination, the recommended response (form RT-120) provides a warning that any response may be used in a criminal proceeding against them and requests less information than other protective order response forms. Another nuance in the law that is reflected on the proposed response is that the court must consider whether the retail establishment is the only

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<sup>4</sup> Section 490.8 also provides that a court sentencing a defendant for the specified offenses may restrain the defendant from entering the retail establishment for a period of up to two years. The Judicial Council’s Criminal Law Advisory Committee is recommending a new form to implement such restraining orders; the form is available on the agenda for the April 25, 2025, Judicial Council meeting at <https://jcc.legistar.com/Calendar.aspx>.

<sup>5</sup> The committee does not recommend an information sheet to accompany the request for continuance and related order at this time because a significant portion of the information on the corresponding information sheet for other protective orders does not apply to retail crime restraining orders.

<sup>6</sup> See Penal Code, § 490.8(e)(3).

place that sells basic life necessities within one mile of the respondent's residence or whether the order otherwise creates undue hardship.<sup>7</sup>

The recommended petition (form RT-100) is similarly tailored to collect information that the petitioner must show for an order to issue. Specifically, in items 5 and 6, the petitioner must list the respondent's two arrests or citations and describe the respondent's conduct in those incidents, and, in item 7, the petitioner must explain why they believe the respondent is likely to return to the retail establishment. The petition also includes a checkbox to indicate whether the retail establishment is part of a chain or franchise and identifies the attorney filing the petition.

Among the most substantive differences between the proposed new forms and existing protective order forms is what is not included. Since Penal Code section 490.8(e) does not provide for temporary restraining orders, firearm relinquishment, or recovery of court costs or attorney's fees, the forms are silent on those issues. Additionally, since retail crime restraining order petitions can only be brought by government attorneys (who are not subject to a filing fee) and retail establishments, the recommended petition does not include information about fee waivers.<sup>8</sup>

### **Proposed Rule Amendments**

In addition to recommending the adoption and approval of the new forms, the committee also recommends rule amendments to implement AB 3209. Specifically, retail crime restraining orders would be added to the provisions of current California Rules of Court, rule 1.51, which require restraining order petitioners to fill out and provide *Confidential Information for Law Enforcement* (form CLETS-001) to the court.<sup>9</sup> The committee additionally recommends inclusion of retail crime restraining orders in California Rules of Court, rules 3.1160 and 3.1162, which set out certain procedural requirements for requesting protective orders, including requiring personal service of the petition at least five days before the hearing, allowing responses to petitions to be written or oral, and providing courts discretion to continue hearings.<sup>10</sup> Similarly, existing rule 3.1162 provides that if the respondent appears at a hearing on a restraining order through the use of remote technology and has received actual notice of the restraining order, no additional proof of service is required for enforcement of the order. The committee recommends that such provisions also apply to retail crime restraining orders.

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<sup>7</sup> See Penal Code, § 490.8(d).

<sup>8</sup> An item to request a fee waiver has been included on the response as it is possible that respondent would be entitled to a fee waiver.

<sup>9</sup> Rule 1.51 currently refers to form CLETS-001 using its previous title, *Confidential CLETS Information*. The committee recommends updating the rule with the current title and form number in rule 1.51(a) and referencing only the form number in subsequent subdivisions.

<sup>10</sup> Given that the response form in retail crime restraining orders is also used to request court-appointed counsel, the committee proposes excluding responses for such restraining orders from the provisions of the second sentence of rule 3.1160(d), which prohibits a continuance if a response is provided to the petitioner at least two days before the hearing.

## **Policy implications**

The forms and rule amendments in this proposal implement new law that creates a new category of restraining orders. Accordingly, the key policy implications for this proposal are ensuring that council forms reflect the law correctly and are not misleading to parties. The recommended forms use language consistent with the new statute and other Judicial Council protective orders to promote uniformity across forms to make them more accessible and understandable. The new forms help implement Goal I, “Access, Fairness, Diversity, and Inclusion,” of the Judicial Council’s strategic plan by making the retail crime restraining order process as easy to complete as possible.

## **Comments**

The committee solicited public comments on this proposal from December 6, 2024, to January 6, 2025, as part of the council’s regular winter 2025 invitation-to-comment cycle. Seven comments were received, four were from superior courts, one was from an operations analyst at a superior court, one was from a county bar association, and one was from the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee (TCPJAC/CEAC Joint Rules Subcommittee). All but one of the commenters agreed with the proposal or agreed with the proposal if modified. One commenter did not indicate agreement or disagreement. The substantive comments and the committees’ responses are summarized below. A chart of all comments received and the committee’s responses is attached at pages 32–44.

### ***Respondent’s right against self-incrimination***

Many of the comments received focus on concerns about the respondent’s Fifth Amendment right against self-incrimination. While several comments agree with the committee’s recommendation from the invitation to comment to not include a “Justification or Excuse” item on the response form, the commenters made other specific suggestions to address concerns about self-incrimination. Those suggestions include adding a warning to items on the response form that information provided may be used in criminal proceedings; providing an explanation of rights such as the right to remain silent and the right to counsel; removing the item where the respondent can agree to certain orders requested and must specify which ones; and retaining the item where the respondent can allege that the restraining order would create undue hardship but not requiring explanation of such hardship.

To mitigate concerns about self-incrimination by the respondent and to avoid providing legal advice, the committee recommends adding a warning before item 5b on form RT-120 where the respondent may explain why they disagree with the orders requested without a detailed explanation of rights. The recommended warning in item 5b states: “You may but are not required to explain below why you disagree with the orders requested. **Any statements you make may be used in a criminal prosecution against you.**” Additionally, the committee recommends not including on the form an item allowing the respondent to agree to certain orders and not others or requiring an explanation for the allegation in item 5a that the restraining order creates undue hardship for the respondent. With these items not included on the response, the

only item where the respondent can provide an explanation contains the previously mentioned warning in bold.

### ***Filing fees and fees to serve***

One superior court that commented on the proposal stated that “a clarifying statement [on the petition] regarding filing and service fees would be helpful for court users and staff.” The committee does not recommend including information about filling fees on the petition because petitions can be filed only by government attorneys, who would not be charged a fee, and attorneys representing retail establishments, who are unlikely to be eligible for a fee waiver. Similarly, the recommended petition does not include information about free service by the sheriff or marshal. In light of this comment, however, the committee has modified the proposed item on the response form about fee waivers because it may be useful to respondents. Specifically, the committee recommends including a request on the response that the sheriff or marshal serve the respondent’s papers for free because of eligibility for a fee waiver. A similar notice has also been included on the information sheet that accompanies the response form.

### ***Form modifier***

Although a formal comment was not submitted, staff from the California Department of Justice (DOJ) requested that the council use a form modifier of no more than two letters because the DOJ uses a three-letter code in CARPOS. The forms circulated for comment with the modifier “RCP,” which could be confused with the CARPOS code. Accordingly, the committee recommends that the new recommended forms use the modifier “RT.”

### ***Alternatives considered***

Because the Legislature created a new type of restraining order, the committee did not consider taking no action. The committee did consider developing a combined order form for both civil and criminal (postconviction) retail crime restraining orders but concluded that such an approach may be confusing to litigants and present challenges for entering information into CARPOS through CLETS. The committee also considered recommending the approach taken by the Criminal Advisory Committee (CLAC) regarding Penal Code section 490.8(e)(6)(B), which permits the court to prohibit the restrained person from entering or being present at additional locations of the retail establishment “within a specified geographic range.” In response to a specific comment, CLAC modified the recommended order form for criminal retail crime restraining orders to allow the court to designate a county as the geographic range within which the restrained party may not enter or be present at locations of the retail establishment. The Civil and Small Claims Advisory Committee concluded, however, that while such designation may be appropriate for criminal orders, including a geographic range in miles and listing the addresses of the locations of the prohibited retail establishments is appropriate for civil orders.

The committee additionally considered proposing a separate rule of court on procedure for retail crime restraining orders, but ultimately concluded that similar procedures for all restraining orders is preferable. Finally, as discussed above in the comments section, the committee considered several options for the content of the response form to address the respondent’s right against self-incrimination.

## **Fiscal and Operational Impacts**

The committee anticipates that this proposal would require courts to train court staff and judicial officers on the new forms and amended rules. Courts will also incur costs to incorporate the new forms into the paper or electronic processes. The new restraining order type may also result in additional costs to courts as respondents are entitled to court-appointed representation, but such costs are the result of legislation and not form or rule changes.

## **Attachments and Links**

1. Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162, at pages 8–9
2. Forms RT-100, RT-100-INFO, RT-109, RT-115, RT-116, RT-120, RT-120-INFO, and RT-130, at pages 10–31
3. Chart of comments, at pages 32–42
4. Link A: Assem. Bill 3209 (Stats. 2024, ch. 169),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB3209](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB3209)

Rules 1.51, 3.1160, and 3.1162 of the California Rules of Court are amended, effective July 1, 2025, to read:

1 **Rule 1.51. California Law Enforcement Telecommunications System (CLETS)**  
2 **information form**

3  
4 **(a) Confidential CLETS information form to be submitted to the court**

5  
6 A person requesting protective orders under Code of Civil Procedure section 527.6,  
7 527.8, or 527.85; Family Code section 6320, 6404, or 6454; Penal Code section  
8 490.8 or sections 18100–18205; or Welfare and Institutions Code section 213.5 or  
9 15657.03 must submit to the court with the request a completed ~~Confidential~~  
10 ~~CLETS Information form~~ Confidential Information for Law Enforcement (form  
11 CLETS-001).  
12

13 **(b) Confidentiality of the form**

14  
15 ~~The Confidential CLETS Information form~~ Form CLETS-001 is confidential, and  
16 access to the information on the form is limited to the persons listed in (c).  
17

18 **(c) Access to information on the form**

19  
20 ~~The Confidential CLETS Information form~~ Form CLETS-001 must not be included  
21 in the court file. After the form is submitted to the court, only the following persons  
22 may have access to the information on the form:  
23

24 (1)–(2) \* \* \*

25  
26 **(d) Amendment of the form**

27  
28 A person requesting protective orders or the person’s attorney may submit an  
29 amended ~~Confidential CLETS Information form~~ form CLETS-001 as a matter of  
30 right to provide updated or more complete and accurate information.  
31

32 **(e) Retention and destruction of the form**

33  
34 (1) When a ~~Confidential CLETS Information form~~ form CLETS-001 is submitted  
35 to the court, the court, if a temporary restraining order or order after hearing  
36 is entered, may:  
37

38 (A)–(B) \* \* \*

39  
40 (2)–(3) \* \* \*



1 **Rule 3.1160. Requests for protective orders to prevent civil harassment, workplace**  
2 **violence, private postsecondary school violence, retail crime, and elder or**  
3 **dependent adult abuse**

4  
5 **(a) Application**

6  
7 This rule applies to requests for protective orders under Code of Civil Procedure  
8 sections 527.6, 527.8, and 527.85; Penal Code section 490.8; and Welfare and  
9 Institutions Code section 15657.03.

10  
11 **(b)–(c) \* \* \***

12  
13 **(d) Response**

14  
15 The response to a request for a protective order may be written or oral, or both.  
16 Except for a request under Penal Code section 490.8, if a written response is served  
17 on the petitioner or, if the petitioner is represented, on the petitioner’s attorney at  
18 least two days before the hearing, the petitioner is not entitled to a continuance on  
19 account of the response.

20  
21 **(e) \* \* \***

22  
23  
24 **Rule 3.1162. Service requirement for respondents who appear remotely**

25  
26 **(a) Application of rule**

27  
28 This rule applies to protective orders issued under Code of Civil Procedure sections  
29 527.6, 527.8, and 527.85; Penal Code sections 490.8 and 18100–18205; and  
30 Welfare and Institutions Code section 15657.03.

31  
32 **(b) \* \* \***  
33  
34

This petition must be filed by an attorney as required by Penal Code section 490.8(e). Also fill out *Confidential Information for Law Enforcement* (form [CLETS-001](#)) with as much information as you know.

**DRAFT****02/20/2025****Not approved by  
the Judicial Council****1 Retail Establishment**

Name: \_\_\_\_\_

DBA (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

 This establishment is a chain or franchise.

Fill in court name and street address:

**Superior Court of California, County of****2 Attorney Filing Petition**

a. Name: \_\_\_\_\_

is a  Prosecuting Attorney City Attorney County Counsel Attorney Representing a Retail Establishment

b. State Bar No.: \_\_\_\_\_

Office or Firm Name: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Court fills in case number when form is filed.

**Case Number:****3 Respondent (Person From Whom Protection Is Sought)**

Full Name: \_\_\_\_\_ Age: \_\_\_\_\_

Address (if known): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**4 Venue**

Why are you filing in this county? (Check all that apply):

a.  The respondent lives in this county.b.  The retail establishment is located in this county.c.  Other (specify): \_\_\_\_\_**This is not a Court Order.**

**5 Respondent's Arrests or Citations**

Respondent was arrested or cited for shoplifting (Pen. Code, § 459.5), theft (Pen. Code, § 487 or 488), organized retail theft (Pen. Code, § 490.4), vandalism of a retail establishment (Pen. Code, § 594), or assault or battery of an employee of a retail establishment while that person was working at the retail establishment (Pen. Code, § 240, 242, or 245) by the following law enforcement agencies.

	<u>Law Enforcement Agency</u>	<u>Report No.</u>	<u>Statutory Basis</u>
(1)	_____	_____	_____
(2)	_____	_____	_____

Additional arrests or citations are included in Attachment 5.

**6 Description of Respondent's Conduct**

Describe respondent's actions that led to the arrests or citations listed in **5**. *(Provide details; tell what happened and who was involved, and identify any witnesses):*

Response is stated in Attachment 6.

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**This is not a Court Order.**



**7 Respondent's Likelihood of Return**

Explain why you believe respondent is likely to return to the retail establishment.

Response is stated in Attachment 7.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

**8 Orders Requested**

a. I ask the court to order the respondent **not** to enter the retail establishment named in (2), be present on the grounds of the retail establishment named in (2), or be present on any parking lot next to and used for the retail establishment named in (2).

b.  The retail establishment named in (2) is a chain or franchise. I ask the court to include all retail establishments in the chain or franchise located in the State of California within \_\_\_\_\_ miles of the address provided in (2) to be included in the order. Those establishments are located at the following addresses (*list addresses*):

\_\_\_\_\_

\_\_\_\_\_

Additional addresses are listed in Attachment 8.

**9 Additional Orders Requested**

I ask the court to make the following additional orders (*specify*):

Additional orders requested are stated in Attachment 9.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**This is not a Court Order.**



Case Number:

10 Number of pages attached to this form, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Lawyer's name*

▶ \_\_\_\_\_  
*Lawyer's signature*

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Name of retail establishment*

▶ \_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Title*

**This is not a Court Order.**

## RT-100-INFO How Do I Get an Order to Prohibit Retail Crime?

These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.

### What is a retail crime restraining order?

It is a court order that prohibits an individual from going to a specific business or locations of a business chain or franchise, based on a prior crimes committed or alleged to have been committed by the individual.

A retail crime restraining order may be issued in a criminal or civil case. These instructions address retail theft restraining orders in the civil context only.

### Can I get a retail crime restraining order?

A retail business can ask for a retail crime restraining order if somebody has been arrested two or more times for shoplifting, theft, vandalism, or assault or battery of a business employee with the same retail establishment and the person who was arrested is likely to return to the business. A prosecuting attorney, a city attorney, county counsel, or a lawyer representing the business must file the petition for a retail crime restraining order.

### How will the order help me?

The court can order a person not to enter or be on the grounds of a business.

In a retail theft case, the court cannot:

- Order a person to pay money that they owe you
- Order someone to move out of rental property that you own
- Order someone to stop creating a nuisance

If you need these remedies, you must file a civil action.

### Do I need a lawyer?

Yes. Only lawyers may ask for retail crime restraining orders.

### What forms do I need to get the order?

Your lawyer must fill out all of form [RT-100](#), *Petition for Retail Crime Restraining Order* and form [CLETS-001](#), *Confidential Information for Law Enforcement*. If they need attachments, they may use form [MC-025](#). They must also fill out items 1, 2, and 3 on form [RT-109](#), *Notice of Court Hearing*.

### Where can I get these forms?

Your lawyer can get the forms from legal publishers or from the California Courts website at [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms). Your lawyer also may be able to find them at your local courthouse or county law library.

### What do I need to get the order?

Your lawyer must go to the superior court in the county where the business is located or where the person to be restrained lives. At the court, your lawyer should ask where to file a request for a retail crime restraining order.

After your lawyer files a request with the court clerk, the clerk will give your lawyer a hearing date on the *Notice of Court Hearing* form.

### How long does the order last?

A retail crime restraining order could last up to two years.

### How will the person to be restrained know about the order?

Someone age 18 or older, who is not involved in this case, must serve (give) the person to be restrained a copy of the order. The server should then fill out form [POS-020](#), *Proof of Personal Service—Civil*, and give it to your lawyer to file with the court.

### What if the restrained person does not obey the order?

Call the police. The restrained person can be arrested and charged with a crime.

### Do I have to go to court?

Your lawyer must go to court on the date provided by the clerk.



**Do I need to bring a witness to the court hearing?**

Witnesses are not required, but it helps to have more proof of the arrests and the likelihood of the person returning than just your word. The court may or may not let witnesses speak at the hearing. So, if possible, your lawyer should bring their statements under oath to the hearing. (Your lawyer can use form [MC-030](#), *Declaration*, for this.)

**Can I agree with the restrained person to cancel the order?**

No. Once the order is issued, only the judicial officer can change or cancel it. Your lawyer or the restrained person would have to file a request with the court to cancel the order.

**For help in your area, contact:**  
*[Local information may be inserted.]*

**What happens after the hearing?**

If the court grants the restraining order, the judicial officer may ask your lawyer to fill out form [RT-130](#), *Retail Crime Restraining Order*, and return it to the court.

**What if I have a disability?**

If you have a disability and need an accommodation while you are at court your lawyer can use form [MC-410](#), *Disability Accommodation Request*, to make your request. Your lawyer can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO](#), *How to Request a Disability Accommodation for Court*.

**What if I don't speak English?**

When you file your papers, have your lawyer ask the clerk if a court interpreter is available. Your lawyer can also use form [INT-300](#), *Request for Interpreter (Civil)*, or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](http://selfhelp.courts.ca.gov/request-interpreter).

*Clerk stamps date here when form is filed.*

**DRAFT**

**02/20/2025**

**Not approved by the  
Judicial Council**

**1 Retail Establishment**

Name: \_\_\_\_\_

DBA (if applicable): \_\_\_\_\_

**2 Attorney Filing Petition**

a. Name: \_\_\_\_\_

State Bar No.: \_\_\_\_\_

Firm or Office Name: \_\_\_\_\_

b. Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

**3 Respondent**

Full Name: \_\_\_\_\_

*The court will complete the rest of this form.*

**4 Notice of Hearing**

**A court hearing is scheduled on the request for restraining order against the respondent:**

<div style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;"> <b>Hearing Date</b> </div>	→ Date: _____	Time: _____	Name and address of court if different from above: _____ _____ _____
	Dept.: _____	Room: _____	
	_____		

**To the person in ③:**

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant the restraining order, which could last up to two years. After you receive a copy of the order, you could be arrested if you violate the order.





**5 Service of Documents by Petitioner**

At least  five  \_\_\_\_\_ days before the hearing, someone age 18 or older—not anyone involved in the case—must personally give (serve) a court file-stamped copy of this form RT-109 to the respondent along with a copy of all the forms indicated below:

- a. RT-100, *Petition for Retail Crime Restraining Order* (file-stamped)
- b. [RT-120](#), *Response to Petition for Retail Crime Restraining Order* (blank form)
- c. [RT-120-INFO](#), *How Can I Respond to a Petition for Retail Crime Restraining Order?*
- d.  Other (*specify*): \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*



**To the Petitioner:**

- The court cannot make the restraining orders after the court hearing unless the respondent has been personally given (served) a copy of your request. To show that the respondent has been served, the person who served the forms must fill out a proof of service form. Form POS-020, *Proof of Personal Service—Civil*, may be used. File the completed form with the court before the hearing, and bring a copy with you to the court hearing.
- Your attorney must attend the hearing if you want the judge to make any of the orders you requested on form RT-100, *Petition for Retail Crime Restraining Order*. Bring any evidence or witnesses you have.
- For more information, read form RT-100-INFO, *How Do I Get an Order to Prohibit Retail Crime?*

**To the Respondent:**

- If you want to respond to the request for orders in writing, file form [RT-120](#), *Response to Petition for Retail Crime Restraining Order*, and have someone age 18 or older—**not you or anyone involved in the case**—mail it to the petitioner.
- The person who mailed the form must fill out a proof of service form. Form POS-030, *Proof of Service by First-Class Mail—Civil*, may be used. File the completed form with the court before the hearing, and bring a copy with you to the court hearing.
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- You are entitled to representation by court-appointed counsel. You may request such representation on form RT-120, *Response to Petition for Retail Crime Restraining Order*.
- For more information, read form RT-120-INFO, *How Can I Respond to a Petition for Retail Crime Restraining Order?*



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms) for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

**—Clerk's Certificate—**

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

*Clerk's Certificate*  
[seal]

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**Instructions:** Use this form to ask the court to reschedule the court date listed on *Notice of Court Hearing* (form [RT-109](#)).

**DRAFT****02/20/2025****Not approved by  
the Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:****1 My Information**

a. My name is: \_\_\_\_\_

b. I am the:

(1)  **Petitioner** (*skip to 2*).(2)  **Respondent** (*give your contact information below*).

Address where I can receive mail:

This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address, if you have their permission. If you have a lawyer, give your lawyer's address and contact information.

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

My contact information (*optional*):

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Lawyer's information (*skip if you do not have one*):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

**2 Information About My Case**

a. The other party in my case is:

 Retail Establishment  RespondentName (*see form RT-100*): \_\_\_\_\_b. I have a court date currently scheduled for (*date*): \_\_\_\_\_**This is not a Court Order.**

3 Why Does the Court Date Need to Be Rescheduled?

- a. I am the petitioner, and I need more time to have the respondent personally served.
b. I am the respondent, and I have requested court-appointed counsel that has not been appointed yet.
c. Other reason:

Multiple horizontal lines for providing details for 'Other reason'.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

Type or print your name



Sign your name

Date:

Lawyer's name, if you have one



Lawyer's signature

This is not a Court Order.

Clerk stamps date here when form is filed.

**DRAFT**

**02/20/2025**

**Not approved by the Judicial Council**

Complete ① and ② only.

① **Retail Establishment:** \_\_\_\_\_

② **Respondent:** \_\_\_\_\_

\_\_\_\_\_ **The court will complete the rest of this form** \_\_\_\_\_

③ **Next Court Date**

a.  The request to reschedule the court date is **denied**.

Your court date is: \_\_\_\_\_

Your court date is not rescheduled because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

b.  The request to reschedule the court date is **granted**. Your court date is rescheduled for the date and time listed below. See ④–⑧ for more information.

Name and address of court, if different from above:

**New Court Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
\_\_\_\_\_

④ **Reason Court Date Is Rescheduled**

a.  There is good cause to reschedule the court date (*check one*):

(1)  The petitioner has not served the respondent.

(2)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  The respondent requested court-appointed counsel that has not been appointed yet.

c.  The court reschedules the court date on its own motion.

**This is a Court Order.**



**5 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a.  **Retail Establishment**

b.  **Respondent**

c.  **Court**

(1)  You do not have to serve the respondent because they, or their lawyer, were at the court date or agreed to reschedule the court date.

(1)  You do not have to serve the retail establishment because they, or their lawyer, were at the court date or agreed to reschedule the court date.

(1)  Further notice is not required.

(2)  You must have the respondent personally served with a copy of this order and a copy of all documents listed on form [RT-109](#), item **5**, by (date): \_\_\_\_\_

(2)  You must have the retail establishment personally served with a copy of this order by (date): \_\_\_\_\_

(2)  The court will mail a copy of this order to all parties by (date): \_\_\_\_\_

(3)  You must have the respondent served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(3)  You must have the retail establishment served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(3)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(4)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(4)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is a Court Order.**



6  Other Orders

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms) for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

*Clerk’s Certificate*  
[seal]

*(Clerk will fill out this part.)*  
**—Clerk’s Certificate—**

I certify that this *Order on Request to Continue Hearing* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

Clerk stamps date here when form is filed.  
  
**DRAFT**  
  
**02/20/2025**  
  
**Not approved by the Judicial Council**

**Use this form to request court-appointed counsel and to respond to the petition (form RT-100)**

- To request court-appointed counsel, fill out ①, ②a, and ③ of this form, sign the declaration on page 3, and take it to the court clerk. **Do not fill out the other items if you are requesting court-appointed counsel.**
- Have someone age 18 or older, who is not involved in this case, serve the person in ① by mail with a copy of this form and any attached pages.
- Read *How Can I Respond to a Petition for Retail Crime Restraining Order?* (form [RT-120-INFO](#)) for information about service and other next steps.

Fill in court name and street address:  
**Superior Court of California, County of**

**① Retail Establishment**

Name (see form RT-100, item ①): \_\_\_\_\_

DBA (if applicable): \_\_\_\_\_

Write your hearing date, time, and place from form RT-109, item ③, here:  
**Hearing Date** → Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

Court fills in case number when form is filed.  
**Case Number:** \_\_\_\_\_

**② Respondent**

- a. Your Name: \_\_\_\_\_
- b. Your Lawyer (if you have one for this case)  
Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
Firm Name: \_\_\_\_\_
- c. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**③  Request for Counsel**

I request court-appointed counsel to represent me in this case.





If you are using this form to request court-appointed counsel, do not fill out any items below except the signature.

4 Orders

- a. I agree to the orders requested.
b. I do not agree to the orders requested.

5 Reasons I Do Not Agree to the Orders Requested

- a. The retail establishment is the only place that sells food, pharmaceuticals, or other basic life necessities within one mile of where I live, or the order would otherwise create undue hardship for me.
b. Other reasons for disagreement
Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 5—Reasons I Disagree" as a title. You may use form MC-025, Attachment.

You may but are not required to explain below why you disagree with the orders requested. Any statements you make on this form may be used in a criminal prosecution against you.

Lined area for providing reasons for disagreement.



Case Number:

6  **No Fee for Filing and Service**

I request that I not be required to pay the filing fee and that the sheriff or marshal serve my papers for free because I am eligible for a fee waiver. (Form [FW-001](#), Request to Waive Court Fees, *must be filed separately.*)

7 Number of pages attached to this form, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Lawyer's name (if any)*

▶ \_\_\_\_\_  
*Lawyer's signature*

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

▶ \_\_\_\_\_  
*Sign your name*

## How Can I Respond to a Petition for Retail Crime Restraining Order?

These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.

### What is a retail crime restraining order?

It is a court order that prohibits you from doing certain things and going to certain places. It can be issued after a criminal conviction or as a civil order after two or more arrests or citations for certain retail theft crimes. This information sheet covers civil orders only.

### Do I need a lawyer?

Having a lawyer is recommended, but it is not required. You are entitled to court-appointed counsel. If you wish to request court-appointed counsel, fill out items ①, ②, and ③ on form RT-120. You can also ask the court clerk about free and low-cost legal services and self-help centers in your county.

### What does the order do?

The court can order a person not to enter or be on the grounds of a business.

### Who can ask for a retail crime restraining order?

- A prosecuting attorney
- A city attorney
- A lawyer for the county counsel
- A lawyer representing a retail business

### I've been served with a petition for retail crime restraining order. What do I do now?

Read the papers served on you very carefully. The *Notice of Court Hearing* tells you when to appear in court.

### What if I don't agree with the request?

If you disagree with the orders the person is asking for, fill out form [RT-120](#), *Response to Petition for Retail Crime Restraining Order*, before your hearing date and file it with the court. If you need to include attachments, you can use form [MC-025](#). You can get the forms from legal publishers or from the California Courts website at [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms). Your lawyer also may be able to find them at your local courthouse or county law library.

### Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older, who is not involved in this case, mail a copy of completed form RT-120 to the person who asked for the order. (This is called “service by mail.”)

The person who serves the form by mail should fill out form [POS-030](#), *Proof of Service by First-Class Mail—Civil*. Have the person who did the mailing sign the original. Take the completed form back to the court clerk or bring it with you to the hearing.

### Should I go to the court hearing?

Yes. Even if you do not file a response you should go to court on the date listed on form [RT-109](#), *Notice of Court Hearing*. If you do not go to the hearing, the judge can make orders against you without hearing from you.

### How long does the order last?

Any order issued at the hearing can last up to two years.

### What if I don't obey the order?

The police can arrest you. You may go to jail and have pay a fine.

### Will I see the person who asked for the order at the court hearing?

Yes. Assume that the business that is asking for the order will send someone to the hearing. Do not talk to that person unless the judge says that you can.

### Do I have to pay a filing fee?

Yes, but if you cannot afford to pay the filing fee, ask the clerk how to apply for a fee waiver. Form [FW-001](#) is available for this purpose. Also, if you are eligible for a fee waiver, you can ask the sheriff or marshal to serve your papers for free. If you are not eligible for free service, you may pay the sheriff or marshal to serve your papers.



**Can I bring a witness to the court hearing?**

Yes. You can bring witnesses or documents that support your case to the hearing. But if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use form [MC-030](#) for this.

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300](#), *Request for Interpreter (Civil)*, or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](http://selfhelp.courts.ca.gov/request-interpreter).

**Can I agree with the business to cancel the order?**

No. Once the order is issued, only the judge can change or cancel it. You or the person who requested the order would have to file a request with the court to cancel the order.

**What if I have a disability?**

If you have a disability and need an accommodation while you are at court you can use form [MC-410](#), *Disability Accommodation Request*, to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO](#), *How to Request a Disability Accommodation for Court*.

**For help in your area, contact:**

*[Local information may be inserted.]*

Clerk stamps date here when form is filed.

**DRAFT**

**02/20/2025**

**Not approved by  
the Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:**

**1 Restrained Person**

(Information that has a star (\*) next to it is required to add this order into the California Restraining and Protective Order System. Please provide all known information.)

\*Name: \_\_\_\_\_

\*Gender:  M  F  Nonbinary \*Race: \_\_\_\_\_

\*Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

**2 Protected Retail Establishment**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Additional addresses: The court finds that the retail establishment is part of a chain or franchise and includes the following additional establishments in the State of California within \_\_\_\_\_ miles of the address above: (list addresses):

\_\_\_\_\_

Additional addresses are listed in Attachment 2.

**3 Expiration Date**

This order expires on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  a.m.  p.m.  midnight

If no expiration date is written here, this Order expires two years from the date of issuance.

**4 Hearing**

a. This proceeding was heard on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  
in Dept.: \_\_\_\_\_ by (judicial officer): \_\_\_\_\_

b. These people were at the hearing:

(1)  The person in ①.

(2)  The lawyer for the retail establishment in ② (name): \_\_\_\_\_

(3)  The lawyer for the person in ① (name): \_\_\_\_\_

Additional persons present are listed at the end of this Order on Attachment 4.

**This is a Court Order.**



**5 Stay-Away Order**

The restrained person must not:

- Enter the retail establishment named in ②.
- Be present on the grounds of the retail establishment named in ②.
- Be present on any parking lot next to and used for the retail establishment named in ②.

Not obeying this order can result in being arrested and charged with a crime and can include up to six months in jail.

**6 Service**

- a.  The restrained person personally attended the hearing. No other proof of service is needed.
- b.  The restrained person did not attend the hearing. Law enforcement or someone who is at least 18 years old and not a party to the action must personally serve a copy of this Order on the restrained person.

**7** Number of pages attached to this Order, if any: \_\_\_\_\_

**To the Petitioner for the Protected Retail Establishment:**

**8 Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (*Check one*):

- a.  The clerk will enter this Order and its proof-of-service form into CARPOS.
- b.  The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c.  By the close of business on the date that this Order is made, the petitioner for the protected retail establishment should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

\_\_\_\_\_  
\_\_\_\_\_

Additional law enforcement agencies are listed at the end of this Order on Attachment 8.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*

**This is a Court Order.**



**Instructions for Law Enforcement****Enforcing the Restraining Order**

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing (see ④), the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

**Start Date and End Date of Orders**

This Order *starts* on the date next to the judge’s signature on page 2 and *ends* on the expiration date in ③ on page 1.

**Notice/Proof of Service**

The law enforcement officer must first determine if the restrained person had notice of the order. If notice cannot be verified, the officer must advise the restrained person of the terms of the order and then enforce it. (Fam. Code, § 6383(e).)

Consider the restrained person served (given notice) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; *or*
- The restrained person was at the hearing or was informed of the order by an officer. An officer can obtain information about the contents of the order and proof of service in CARPOS.

**Conflicting Orders—Priorities for Enforcement**

**If more than one restraining order has been issued protecting the protected party from the restrained person, the orders must be enforced in the following priority** (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *Emergency Protective Order (EPO)*: If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. *No-Contact Order*: If a restraining/protective order includes a no-contact order, the no-contact order must be enforced.
3. *Criminal Protective Order (CPO)*: If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code section 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. *Civil Restraining Orders*: If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment, retail crime), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

(Clerk will fill out this part.)

Clerk’s Certificate  
[seal]

**—Clerk’s Certificate—**

I certify that this *Retail Crime Restraining Order* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Elizabeth Flores, Operations Analyst – Criminal Operations Superior Court of California, County of Orange Westminster	A	The proposed RCP-120 form, relating to items #4 or #5, should include a warning that the response provided may implicate the person in criminal proceedings.	In light of this suggestion and others on the topic, the committee recommends including the following language on item 5 of the response form where the respondent may explain why they disagree with the orders requested: “You may <b>but are not required to</b> explain below why you disagree with the orders requested. <b>Any statements you make may be used in a criminal prosecution against you.</b> ”
2.	Orange County Bar Association by Mei Tsang, President	AM	<p><b>Does the proposal appropriately address the stated purpose?</b></p> <p>Yes.</p> <p><b>Given the absence of several procedural requirements in Penal Code section 490.8, is it appropriate for civil retail crime restraining orders to be subject the procedural requirements of other restraining orders, particularly those found in rule 3.1160?</b></p> <p><i>These include the following: Requiring personal service at least 5 days before the hearing, allowing responses to be written or oral, providing courts discretion to continue hearings, and adopting part of Rule 3.1162, which eliminates requirement for additional POS if Respondent appears remotely and has received actual notice.</i></p> <p>Yes.</p>	<p>The committee appreciates the information provided.</p> <hr/> <p>The committee appreciates the information provided.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated



**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p><b>Civil retail crime restraining orders require proof of arrest or citation for specific crimes. Responding to a petition for such an order may have implications for a subsequent criminal prosecution. What should be included in the response form (RCP-120) to balance a respondent’s opportunity to be heard and the Fifth Amendment right against self-incrimination in a criminal case?</b></p> <p><u>Description of the issue from W25-07:</u> The response forms for other civil restraining orders contain an item in which the respondent can provide a justification or excuse for committing some or all of the actions that the petitioner accused them of committing. The committee considered including a similar item on form RCP 120 but concluded that since retail crime restraining orders are based on the commission of specified crimes it is best not to include an item asking the respondent to admit that they did some of the actions they are accused of and provide justification. The committee has included a request for specific comment about what should be included on the response form for retail crime restraining orders.</p> <p><u>Proposal:</u> Agree there should not be an item asking the respondent to admit they did some of the actions they are accused of and/or to provide justification. Instead, provide an explanation of rights, in a box similar to the boxed item included in item 1 of RCP-120. The explanation should state that a judge may consider justification for the conduct. It should also include a description of the right to remain silent, with a warning that any statements could be used against them in criminal proceedings and that justifications may constitute</p>	<p>In light of this suggestion and others on the topic, the committee no longer recommends inclusion of the following on the response form: item 4c where the respondent can agree to certain orders and not others and a required explanation for item 5a, where the respondent can allege that the order would create undue hardship for them. Additionally, the committee recommends including the following language on item 5 of the response form where the respondent may explain why they disagree with the orders requested: “You may <b>but are not required to</b> explain below why you disagree with the orders requested. <b>Any statements you make may be used in a criminal prosecution against you.</b>” The committee does not recommend including other suggested language as it appears to be providing legal advice to the respondent.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>admissions. It should also include a description of the right to counsel and a suggestion that any justifications be discussed with counsel before submitting them. Finally, the statement should instruct that justifications may be provided on an Attachment form, which would provide the same explanation of rights at the top of the form.</p>	
			<p>On form RCP-120, the instruction at the top of page 2 (“If you are using this form to request court-appointed counsel, do not fill out any items below except the signature”) should be highlighted.</p>	<p>In light of this comment and others on this issue, the committee recommends that the sentence, “Do not fill out the other items if you are requesting court-appointed counsel,” on form RT-120 appear in bold font.</p>
3.	<p>Superior Court of California, County of Los Angeles by Robert Oftring, Chief Communications and External Affairs Officer</p>	A	<p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular judicial officer or employee.</p>	<p>The committee appreciates the information provided.</p>
			<p>In response to the Judicial Council of California's proposal titled " ITC W25-07: Protective Orders: New Civil Retail Crime Restraining Order," the Superior Court of California, County of Los Angeles (Court), concurs that the proposal addresses its intended purpose.</p>	<p>The committee appreciates the information provided.</p>
			<p>The Court agrees that it is appropriate for civil retail crime restraining orders to be subject to the same procedural requirements of other restraining orders, particularly those found in rule 3.1160. It appears that providing the same procedural requirements is fundamentally consistent with ensuring due process.</p>	<p>The committee appreciates the information provided.</p>

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**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>To balance a respondent’s opportunity to be heard with the Fifth Amendment right against self-incrimination, it is recommended that section #4(c) of the response form (RCP-120) be removed, as asking for additional information might invite self-incriminating statements. Additionally, section #5(a) should remain without requiring further explanation, given that the form necessitates declarations under penalty of perjury, which could expose respondents to prosecution if proven incorrect.</p>	<p>In light of this suggestion and others on the topic, the committee recommends removal of item 4c and the required explanation for item 5a.</p>
			<p>Proceedings outlined in the proposal will typically fall under the purview of the Court’s Criminal Division. These proceedings will be assigned to the Civil Division only when there is an extant civil lawsuit in which the retail crime prevention restraining order request is filed. The Court anticipates this will happen infrequently unless retail establishments seek civil recoveries from shoplifters (as opposed to restitution in the criminal proceeding).</p>	<p>The committee appreciates the information provided.</p>
			<p>The Court’s Criminal Division plans to meet with its relevant justice partners to discuss which entities would take on these types of cases in the future.</p>	<p>The committee appreciates the information provided.</p>
			<p>The Court does not anticipate cost savings. Instead, the Court believes this proposal will result in additional costs. The case management system will need to be updated to include the creation of new codes, which will incur some costs and require training for Court staff. Since there will be an increase in cases, there will also be additional costs incurred to accommodate them.</p>	<p>The committee appreciates the information provided.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>Additionally, the Court anticipates that implementation of this new law will also result in costs to counties for indigent defense. The Court also finds the process to obtain a restraining order, as outlined in AB 3209, to be different from current practice. For example, it is unclear when the hearing must be set and if there is appointment of counsel for the respondent.</p>	<p>The committee appreciates the information provided.</p>
			<p>Regarding implementation, two months from Judicial Council approval to the proposal's effective date seems appropriate. However, it is difficult to assess if this proposal will work well in courts of different sizes. The Court will be centralizing these protective orders, and it will depend on the volume of these cases to determine if it would work across courts of different sizes.</p>	<p>The committee appreciates the information provided.</p>
4.	<p>Superior Court of California, County of Orange, Civil Operations Management by Sean E. Lillywhite, Operations Analyst, Training &amp; Analyst Group</p>	NI	<p><i>On behalf of Civil Operations Management, County of Orange:</i></p> <p><u>Comments:</u> Form RCP-100 <i>Petition for Retail Crime Restraining Order</i> – Nowhere on the form are filing fees addressed. Since government agencies are exempt from filing fees and the statute is silent on filing fee requirements for an attorney representing a retail establishment, what is the guidance regarding filing fees pertaining to non-government entity filers on these petitions? For comparison on CH-100 at item 13 it states “No Fee for Filing or Service”; this information is on other harassment forms and allows parties of harassment to file without charge and get documents served by the Sheriff without charge. Are fees still waived for service by the sheriff on these petitions? A clarifying statement</p>	<p>The committee does not recommend information about filling fees on form RT-100 since petitions can only be filed by government attorneys, who would not be charged a fee, and attorneys representing retail establishments, who are unlikely to be eligible for a fee waiver. The committee understands Government Code section 26720.5 and California Rules of Court, rule 3.55 to waive service fees by the sheriff or Marshal for litigants with fee waivers. The committee is unaware of any other statutory provisions that waive fees for retail crime restraining orders. In light of this suggestion the committee recommends including information</p>

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**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

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Commenter	Position	Comment	Committee Response
		regarding filing and service fees would be helpful for court users and staff.	about free service if a fee waiver is granted on the response form and the corresponding information sheet.
		RCP-120 <i>Response to Petition for Retail Crime Restraining Order</i> – Recommend making the last line of the first bullet bold. <b>“Do not fill out the other items if you are requesting court-appointed counsel.”</b>	In light of this comment and others on this issue, the committee recommends that such language on form RT-120 to appear in bold font.
		Also, this document has a “No Fee For Filing” checkbox on number six. Is the respondent required to pay a first appearance fee, if a fee waiver is not completed and granted?	The committee notes that provisions of Penal Code section 490.8 do not waive fees for respondents. Accordingly, it appears other existing statutory provisions on civil fees are controlling.
		RCP-120-INFO <i>Instructions for Respondents</i> – Under Do I need a lawyer? Section, recommend “...fill out items 1-3 and the signature page on form RCP-120” rather than just item 3. This might cause confusion and delayed processing.	In light of this comment, the committee recommends including “items 1, 2, and 3” in the section of form RT-120-INFO referenced in the comment.
		RCP-130 <i>Final Retail Crime Restraining Order</i> – On page 3, “Start Date and End Date of Orders” it states, “This Order starts on the date next to the judge’s signature on page 2 and ends on the expiration date in 3 on page 1.” Consider adding “If no expiration date is listed in 3 on page 1, the Order expires two years from the date next to the judge’s signature on page 2.”	The committee does not recommend the suggested change because item 3 of recommended form RT-130 already includes such language. Additionally, such a change would render form RT-130 inconsistent with other civil restraining order forms that do not include such language in the “Instructions for Law Enforcement.”

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**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

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	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
5.	Superior Court of California, County of San Bernardino by Brenda Martin Del Campo	A	Training would be needed for Judges, Supervisors (2 hours), clerks (1 day), and Judicial Assistants (1 day).	The committee appreciates the information provided.
			Revising processes and procedures would be needed for the clerk’s office to process the new forms in odyssey. New procedures and macros would need to be created in clerk’s edition for judicial assistants.	The committee appreciates the information provided.
			3 months from Judicial Council approval of this proposal until its effective date should be enough time for implementation.	The committee appreciates the information provided and notes that the recommended effective date is about two months from approval.
6.	Superior Court of California, County of San Diego by Mike Roddy, Executive Officer	AM	Q: Does the proposal appropriately address the stated purpose? A: <b>Yes.</b>	The committee appreciates the information provided.
			Q: Given the absence of several procedural requirements in Penal Code section 490.8, is it appropriate for civil retail crime restraining orders to be subject the procedural requirements of other restraining orders, particularly those found in rule 3.1160? Civil retail crime restraining orders require proof of arrest or citation for specific crimes. Responding to a petition for such an order may have implications for a subsequent criminal prosecution. What should be included in the response form (RCP-120) to balance a respondent’s opportunity to be heard and the Fifth Amendment right against self-incrimination in a criminal case? A: <b>Yes, it is appropriate for retail crime restraining orders to be subject to the procedural requirements for other types of civil restraining orders. In order to protect a Respondent’s Fifth Amendment rights, a</b>	The committee appreciates the information provided. In light of this comment and others on the topic the committee does not recommend inclusion of a justification or excuse item on form RT-120.

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**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

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	Commenter	Position	Comment	Committee Response
			<p><b>“Justification or Excuse” item should not be included on form RCP-120.</b></p>	
			<p>Q: Would the proposal provide cost savings? If so, please quantify.  <b>A: No, the proposal will potentially result in additional costs to the court. As indicated in the Invitation, it is unclear who will bear the costs of appointed counsel and who will be appointed (i.e. public defender or a civil attorney).</b></p>	<p>The committee appreciates the information provided.</p>
			<p>Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?  <b>A: Preparing local procedures, potentially drafting local forms until the JC forms are adopted, case management configuration (e.g. calendars, event codes, etc.), and developing a process for appointment of counsel in civil actions.</b></p>	<p>The committee appreciates the information provided.</p>
			<p>Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?  <b>A: Yes, provided final versions of the forms are provided at that time. This will allow the court to create local packets and train staff.</b></p>	<p>The committee appreciates the information provided.</p>
			<p>Q: How well would this proposal work in courts of different sizes?</p>	<p>The committee appreciates the information provided.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p><b>A:</b> It appears that the proposal would work for courts of all sizes.</p>	
			<p><b>RCP-100:</b> Propose removing “(if any)” following “”Lawyer’s name” on page 4 as the action must be filed by an attorney.</p>	<p>The committee recommends making this change.</p>
			<p><b>RCP-100-INFO:</b> Since retail crime restraining orders may only be filed by an attorney, is there a need for the RCP-100-INFO? The form appears to be giving guidance to the retail establishment regarding what their attorney should do. For example: <b>Do I need to bring a witness to the court hearing?</b> “...So, if possible, your lawyer should bring their statements under oath to the hearing.”</p>	<p>The committee recommends approval of form RT-100-INFO to provide information on retail crime restraining orders to retail establishments that may benefit from the information.</p>
			<p><b>RCP-109:</b> Item 5: Propose removing option for “<b>five</b>” days service as these actions do not provide for temporary orders.</p>	<p>The committee does not recommend making such a change because rule 3.1160 requires service within five days for several types of restraining orders regardless of whether a temporary restraining order has issued. The committee additionally notes that it recommends adding retail crime restraining orders to rule 3.1160.</p>
			<p><b>RCP-116:</b> Propose that form include a clerk’s certificate for consistency.</p>	<p>The committee recommends making this change.</p>
7.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee	AM	The JRS notes that the proposal is required to conform to a change of law.	The committee appreciates the information provided.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated



**W25-07**

**Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

All comments are verbatim unless indicated by an asterisk (\*).

Commenter	Position	Comment	Committee Response
(CEAC) (TCPJAC/CEAC Joint Rules Subcommittee) (JRS)		The JRS also notes the following impact to court operations: <ul style="list-style-type: none"> <li>• Impact on existing automated systems.</li> <li>• Results in additional training, which requires the commitment of staff time and court resources.</li> <li>• Increases court staff workload.</li> <li>• Impact on local or statewide justice partners.</li> </ul>	The committee appreciates the information provided.
		In response to the Judicial Council of California's proposal titled ITC W25-07: Protective Orders: New Civil Retail Crime Restraining Order, we concur that the proposal addresses its intended purpose.	The committee appreciates the information provided.
		It is appropriate for civil retail crime restraining orders to be subject to the same procedural requirements of other restraining orders, particularly those found in rule 3.1160. It appears that providing the same procedural requirements is fundamentally consistent with ensuring due process.	The committee appreciates the information provided.
		To balance a respondent's opportunity to be heard with the Fifth Amendment right against self-incrimination, it is recommended that section #4(c) of the response form (RCP-120) be removed, as asking for additional information might invite self-incriminating statements. Additionally, section #5(a) should remain without requiring further explanation, given that the form necessitates declarations under penalty of perjury, which could expose respondents to prosecution if proven incorrect.	In light of this suggestion and others on the topic, the committee recommends removal of item 4c and the required explanation for item 5a. As circulated, item 4c allowed the respondent to agree to certain orders and provided space to specify which ones. Item 5a allows the respondent to assert, among other things, that the order creates undue hardship for the respondent, which the court is required to consider under the statute.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-07****Protective Orders: New Civil Retail Crime Restraining Order** (Amend Cal. Rules of Court, rules 1.51, 3.1160, and 3.1162; adopt forms RCP-100, RCP-109, RCP-115, RCP-116, RCP-120, and RCP-130; approve forms RCP-100-INFO and RCP-120-INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>Proceedings outlined in the proposal will typically fall under the purview of the Court’s Criminal Division. These proceedings will be assigned to the Civil Division only when there is an extant civil lawsuit in which the retail crime prevention restraining order request is filed. We anticipate this will happen infrequently unless retail establishments seek civil recoveries from shoplifters (as opposed to restitution in the criminal proceeding).</p>	<p>The committee appreciates the information provided.</p>
			<p>We do not anticipate cost savings. Instead, we believe this proposal will result in additional costs. The case management system will need to be updated to include the creation of new codes, which will incur some costs and require training for Court staff. Since there will be an increase in cases, there will also be additional costs incurred to accommodate them.</p>	<p>The committee appreciates the information provided.</p>
			<p>Additionally, we anticipate that implementation of this new law will also result in costs to counties for indigent defense. We also find the process to obtain a restraining order, as outlined in AB 3209, to be different from current practice. For example, it is unclear when the hearing must be set and if there is appointment of counsel for the respondent.</p>	<p>The committee appreciates the information provided.</p>
			<p>Regarding implementation, two months from Judicial Council approval to the proposal's effective date seems appropriate. However, it is difficult to assess if this proposal will work well in courts of different sizes. The Court will be centralizing these protective orders, and it will depend on the volume of these cases to determine if it would work across courts of different sizes.</p>	<p>The committee appreciates the information provided.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** 3/13/25

**Rules Committee action requested** [Choose from drop-down menu below]:

**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Rules and Forms: Additional CARE Act Legislation

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235; adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; adopt Cal. Stds. Jud. Admin., std. 7.20

*Committee or other entity submitting the proposal:*

Probate and Mental Health Advisory Committee

*Staff contact (name, phone and email):*

Tyler Shill, 415-865-4571 Tyler.Shill@jud.ca.gov

Anne Hadreas, 415-865-7598 Anne.Hadreas@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): 10/22/24

Project description from annual agenda: The committee will develop a recommendation for new and amended rules and new and revised forms to implement the Community Assistance, Recovery, and Empowerment (CARE) Act (Welf. & Inst. Code, §§ 5970–5987), as amended by Senate Bill 42 (Umberg; Stats. 2024, ch. 640), Senate Bill 1323 (Menjivar; Stats. 2024, ch. 646), and Senate Bill 1400 (Stern; Stats. 2024, ch. 647), as well as to respond to requests from courts and the executive branch. The project is expected to include a revised petition (form CARE-100) that is easier for family members and other self-represented petitioners to complete; an alternative petition for use exclusively by licensed behavioral health professionals; rules to circumscribe the CARE Act court's communication with criminal or mental health courts that have referred respondents to CARE Act proceedings as well as juvenile courts with jurisdiction over CARE Act respondents; a new form to give ongoing notice to original petitioners; and rules or standards regarding the role of the judiciary in improving system performance.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

The legislation being implemented took effect January 1, 2025.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) 2/7/25

approved by Office Director (or Designee) (name) Audrey Fancy, Principal Managing Attorney on (date) 2/27/25

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)
  - The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).
- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-082*

For business meeting on April 24–25, 2025

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Title

Rules and Forms: Additional CARE Act  
Legislation

Rules, Forms, Standards, or Statutes Affected  
Amend Cal. Rules of Court, rules 7.2210,  
7.2221, and 7.2235; adopt form CARE-102;  
approve forms CARE-118 and CARE-119;  
revise forms CARE-050-INFO, CARE-060-  
INFO, and CARE-100; adopt Cal. Stds. Jud.  
Admin., std. 7.20

Recommended by

Probate and Mental Health Advisory  
Committee  
Hon. Jayne Chong-Soon Lee, Chair

Report Type

Action Required

Effective Date

July 1, 2025

Date of Report

February 27, 2025

Contact

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### Executive Summary

To implement recently enacted legislation amending the Community Assistance, Recovery, and Empowerment (CARE) Act in Senate Bills 42 (Stats. 2024, ch. 640), 1323 (Stats. 2024, ch. 646), and 1400 (Stats. 2024, ch. 647), the Probate and Mental Health Advisory Committee recommends amending three rules of court, adopting one form, approving two forms, revising three forms, adopting one standard of judicial administration, and renaming a title in the standards of judicial administration. The committee also recommends revisions to certain forms in response to feedback from members of the public regarding the forms' readability and ease of use.

### Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective July 1, 2025:

1. Amend California Rules of Court, rule 7.2210 to conform with SB 42's changes regarding instances where a CARE Act respondent has other court cases and communications between the CARE Act court and a referring court.
2. Amend rule 7.2221 to include form CARE-102, which is recommended for adoption in this proposal, as a petition option for licensed behavioral health professionals.
3. Amend rule 7.2235 to clarify that the respondent has the right to waive personal service or accept notice by other means.
4. Adopt *Petition to Begin CARE Act Proceedings by Licensed Behavioral Health Professional Only* (form CARE-102) as an alternate mandatory form, which provides an alternative petition option to *Petition to Begin CARE Act Proceedings* (form CARE-100) that is filled out by licensed behavioral health professionals.
5. Approve *Notice of Hearing or Continuance* (form CARE-118) as an optional form to satisfy the court's obligation to provide ongoing notice of a hearing or a continuance to specific petitioners and *Notice of Dismissal* (form CARE-119) as an optional form to satisfy the court's obligation to provide ongoing notice of dismissal to specific petitioners.
6. Revise *Information for Petitioners—About the CARE Act* (form CARE-050-INFO) and *Information for Respondents—About the CARE Act* (form CARE-060-INFO) to update information regarding the rights of the petitioner and the respondent.
7. Revise *Petition to Begin CARE Act Proceedings* (form CARE-100) to incorporate statutory updates, including the acceptance of particular documentary evidence in support of statements regarding the respondent's CARE Act eligibility, and to improve readability and ease of use in response to user testing feedback .
8. Rename title 7 of the California Standards of Judicial Administration to include mental health proceedings and adopt standard 7.20 to provide guidelines related to the unique roles of the court and judicial officers in CARE Act proceedings.

The proposed amended rules, new and revised forms, and standard are attached at pages 12–36.

### **Relevant Previous Council Action**

The Judicial Council has considered rules of court and forms related to the CARE Act in each of the last two years. At its May 12, 2023, meeting, the Judicial Council adopted 11 rules of court, amended one rule, adopted eight forms, and approved five forms to implement requirements and provisions of the CARE Act. Those rules of court and forms became effective on September 1, 2023.

At its May 17, 2024, meeting, the Judicial Council amended four rules of court, approved one new form, and revised seven forms to implement SB 35 (Stats. 2023, ch. 283), which amended both substantive and procedural aspects of the CARE Act.

## **Analysis/Rationale**

The CARE Act took effect on January 1, 2023. The act created a new pathway to deliver mental health treatment and support services to persons with schizophrenia or other psychotic disorders by authorizing specific qualifying individuals to petition a civil court to create a voluntary CARE agreement or a court-ordered CARE plan. The first cohort of California counties implemented the CARE Act on October 1, 2023,<sup>1</sup> with the remaining counties required to implement no later than December 1, 2024.<sup>2</sup> As of December 2, 2024, all counties and courts have implemented the CARE Act.

On September 27, 2024, Governor Gavin Newsom signed into law three bills affecting the CARE Act. First, SB 42 made several procedural and substantive changes to the act. Specifically, SB 42:

- Requires ongoing notice of proceedings to certain original petitioners throughout the CARE Act proceedings, including notice when a continuance is granted and when a case is dismissed;<sup>3</sup>
- Authorizes the court hearing CARE Act proceedings and a court which referred an individual to CARE Act proceedings to communicate regarding the respondent's cases, prescribes the manner of that communication, and authorizes communication between courts hearing CARE Act proceedings and juvenile courts;<sup>4</sup> and
- Clarifies that signed declarations from a petitioner may be used as evidence that a respondent was detained for a minimum of two intensive treatments.<sup>5</sup>

Second, both SB 1323 and SB 1400 amended procedural components of the referral process for mentally incompetent defendants in criminal proceedings into CARE Act proceedings. SB 1323 amended Penal Code section 1370 to allow a criminal court to refer to CARE Act proceedings a defendant in a felony proceeding who is found mentally incompetent and ineligible for mental health diversion.<sup>6</sup> Similarly, SB 1400 amended the referral process for mentally incompetent

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<sup>1</sup> Welf. & Inst. Code, § 5970.5(a). Unless otherwise noted, all further statutory references are to the Welfare and Institutions Code.

<sup>2</sup> § 5970.5(b). Five counties and courts implemented early: Los Angeles on December 1, 2023; San Mateo on July 1, 2024; Kern on October 1, 2024; Mariposa on November 1, 2024; and Napa on November 25, 2024.

<sup>3</sup> § 5977(b)(6)(B)(ii)(II).

<sup>4</sup> § 5978.2.

<sup>5</sup> § 5975(d)(2).

<sup>6</sup> Pen. Code, § 1370(a)(1)(B)(iii)(III)(id).

defendants in misdemeanor cases who are ineligible for mental health diversion. Under SB 1400, if the court refers the respondent to CARE Act proceedings and the respondent is accepted, the criminal charges must be dismissed six months after the date of the referral to CARE Act proceedings, unless the case is referred back.<sup>7</sup>

Additionally, the committee received feedback that the readability and ease of use of *Petition to Begin CARE Act Proceedings* (form CARE-100) could be improved. In response, Judicial Council staff facilitated user testing sessions to seek feedback on the language, formatting, and overall effectiveness of the petition. Volunteers were given a hypothetical scenario and were asked to fill out form CARE-100 as if they were a petitioner. Judicial Council staff also gathered feedback from Cohort 1 courts and behavioral health system partners on form CARE-100.

Accordingly, the committee recommends the following rule, form, and standard changes to address the relevant statutory amendments and the feedback received on form CARE-100.

### **Rules of court**

#### ***Rule 7.2210***

Amended rule 7.2210 would include information on proceedings related to those under the CARE Act and prescribe permissible communication between a CARE Act court and the court in related proceedings. The amended rule defines “related proceedings” as a proceeding identified in section 5978 from which a referral occurred that prompted a CARE Act proceeding or a court case through which the respondent is within the juvenile court’s dependency, delinquency, or transition jurisdiction. The amended rule also specifies when the court hearing CARE Act proceedings must inform courts with related proceedings, delineates how those courts may communicate with each other, and provides for notification of the respondent’s attorney in the related proceeding, if any, in accordance with the newly introduced section 5978.2. The new statutory language regarding communication between courts also requires the removal of the rule’s prior language, which limited the ability of a CARE Act court to communicate with another court absent an express waiver by the respondent. Further, rule 7.2210(d)(4) and the related advisory committee comment would be expanded to incorporate the availability of concurrent jurisdiction for a broader set of case types.

#### ***Rule 7.2221***

Amended rule 7.2221 would reflect the adoption of form CARE-102, as described below. The amendment provides two alternative mandatory petition forms to begin CARE Act proceedings: forms CARE-100 and CARE-102. Rule 7.2221 also clarifies that form CARE-102 must be filled out by a petitioner who is a licensed behavioral health professional, as defined in Welfare and Institutions Code section 5971(l).

#### ***Rule 7.2235***

Amended rule 7.2235(e) would clarify that respondents may waive personal service notice of hearings and receive notice through their attorney or by other means of their choosing. This

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<sup>7</sup> Pen. Code, § 1370.01(b)(4)(D).



amendment is intended to ensure that respondents receive actual notice in the manner that is best suited for them, while recognizing that for many respondents, personal service may be necessary.

### **New CARE Act forms**

#### ***Form CARE-102***

New form CARE-102 would serve as an alternative mandatory petition to form CARE-100. Form CARE-102 provides a petition option tailored to petitioners who are licensed behavioral health professionals able to provide all the information contained in the forms CARE-100 and CARE-101.

#### ***Form CARE-118***

New form CARE-118 would be an optional form to implement the new requirements for courts in SB 42 to provide ongoing notice of CARE Act court proceedings to the original petitioner. Specifically, form CARE-118 provides notice to original petitioners described in section 5974(a) or (b) when a hearing has been continued in accordance with section 5977(b)(6)(B)(ii)(II). The form requires the court to provide a general reason for the continuance without disclosing any confidential medical information.

#### ***Form CARE-119***

Similarly, new form CARE-119 would be an optional notice form that courts may use to satisfy the new obligation in SB 42 to provide notice of dismissal of a petition to original petitioners described in section 5974(a) or (b). The form requires the court to specify the statutory basis for the dismissal while disclosing no confidential medical information, reflecting the language in section 5977(b)(6)(B)(ii)(II).

### **Revised CARE Act forms**

#### ***Form CARE-050-INFO***

The committee recommends revising optional form CARE-050-INFO to inform petitioners that:

- CARE agreements and CARE plans may be amended. Specifically, amended section 5977.1(a)(3) allows CARE agreements to be amended if the parties agree, while section 5977.1(d)(7) allows amendment of a CARE plan either upon agreement or following a hearing that supports a finding that such amendments are needed to support the respondent.
- They can contact their local behavioral health agency to refer someone to CARE Act proceedings without filing a petition, and that the agency may decide (but is not required to) file a petition.
- A petition may be supported by a statement from the petitioner that they personally knew about the respondent's hospitalizations for involuntary treatment, reflecting the amendment of section 5975(d)(2).

- They may state that they already gave information in an earlier section if they feel that they are repeating themselves.
- Certain petitioners will receive ongoing notice throughout the CARE Act proceedings, unless such notice would be detrimental to the treatment or well-being of the respondent, as required by section 5977(b)(6)(B)(ii)(II).

The committee also recommends technical, nonsubstantive revisions to form CARE-050-INFO, including some to conform to the corresponding changes to form CARE-100, which are described below.

***Form CARE-060-INFO***

The committee recommends making changes to form CARE-060-INFO that are similar in nature to those recommended for form CARE-050-INFO. The committee recommends revising form CARE-060-INFO to inform respondents about the potential for CARE agreement and CARE plan amendments, and that certain petitioners will receive ongoing notice about the case throughout the CARE Act proceedings unless the court decides that notice would be harmful to the respondent, as required by section 5977(b)(6)(B)(ii)(II). The committee also recommends revising the requirement that the county agency file a written report ordered by the court within 30 court days, unless the court gives it more time, as required by section 5977(a)(3)(B). Finally, the committee recommends technical, nonsubstantive revisions to form CARE-060-INFO, including some to conform to changes to form CARE-050-INFO and form CARE-100.

***Form CARE-100***

Form CARE-100 would be revised to incorporate changes required by SB 42, SB 1323, and SB 1400, as well as feedback from user testing sessions, as follows:

- Replace “Commence” with “Begin” in the title of form CARE-100 to increase readability and revise the footer to designate the form as an Alternative Mandatory form.
- Replace “Petitioner” with “I” to ensure that the petitioner filling out form CARE-100 understands their role, and reorganize the initial items so that basic information about the respondent is entered earlier in the form.
- Collect the respondent’s contact information through check boxes and specific information rather than provide a large text box to enter multiple pieces of information.
- Provide an option for the petitioner to include a statement within the form that the respondent was hospitalized two or more times for involuntary treatment, without requiring an attachment.
- Revise the instructions for item 7 to include the phrase, “To the best of my knowledge,” and include an option for the petitioner to check a box and attach form CARE-101 instead of filling out items 7a through 7f. The form would also notify petitioners that if

they choose to fill out items 7a through 7f, they may indicate whether they've previously provided certain information and, if so, specify where it was provided.

Additional revisions include technical, nonsubstantive conforming changes and language revisions to increase readability.

### **Standards of judicial administration**

The adoption of standard 7.20 would comply with the mandate in SB 42 to add “the role of the judiciary to improve system performance” to the list of topics for which the Judicial Council must establish rules and policies. Additionally, SB 42 added language to section 5977.4(a) that requires the court and relevant local public agency to “cooperate to develop a comprehensive set of objectives established to improve performance of the CARE system in a vigorous and ongoing manner,” and authorized CARE Act courts to “coordinate and participate in meetings to improve system performance.” This standard was drafted to provide nonmandatory guidelines related to the court’s role in the CARE Act process.

The standard is composed of two parts. Standard 7.20(a) outlines the “unique role of the CARE Act court judicial officer” and how these judicial officers, in consultation with the court’s presiding judge and to the extent that it does not interfere with the adjudication process, exercise their authority to ensure delivery and facilitate coordination of supports and services to respondents. Standard 7.20(b) states that the CARE Act court should convene relevant local public agencies and stakeholders to coordinate the provision of services and work to accommodate the sharing of information within the limits of the statutory framework.

### **Policy implications**

To the extent this proposal has policy implications, they can be attributed to the legislation that the changes derive from. The recommended rules, forms, and standard will implement and facilitate those legislative policies. While some changes to form CARE-100 are based on user testing feedback rather than applicable legislation, these changes were related to readability and ease of use and do not create any additional policy implications.

### **Comments**

The proposal was circulated for comment in the winter 2025 invitation-to-comment cycle, and was provided directly to several key stakeholders, including courts, public defender and county counsel offices, and state agencies; as well as the CARE Act, mental health, and Equal Access court listservs. The committee received comments from ten commenters, including three superior courts, one superior court judge, three professional associations, and three agencies. Two commenters agreed with the proposal, three agreed with proposal if modified, and five did not indicate whether they agreed or disagreed with the proposal.

All comments and the committee’s responses are provided in the attached chart of comments at pages 38–74.

### ***Standard 7.20***

The committee received three comments regarding standard 7.20. In response, the committee removed the previously proposed subdivisions (a)(1),<sup>8</sup> which encouraged judicial officers to monitor specific services in the community, and (b)(1),<sup>9</sup> which stated that the CARE Act court should educate the community about its role, and revised subdivision (b)(2). The committee also made conforming renumbering changes to accommodate the removed subdivisions.

The Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) (TCPJAC/CEAC Joint Rules Subcommittee) along with one superior court and one superior court judge all expressed concern that these subdivisions were not required to comply with SB 42's amendment to Welfare and Institution Code section 5977.4(c) to add to rules and policies related to the role of the judiciary to improve system performance. Further, commenters also questioned whether previously proposed subdivisions (a)(1) and (b)(1) included inappropriate roles for the courts. The joint subcommittee expressed concern that both subdivisions involved roles that are incompatible with the court's role as "the neutral arbiter of these proceedings." One superior court commented that standard 7.20(a)(1) is a "potentially inappropriate role for the CARE Court judge" who is responsible for using its adjudicatory role to enforce the delivery of specific services and supports for respondents. The judge commented that the standard "may place judicial officers in conflict with several judicial canons."

The commenters also expressed concern regarding a separation of powers and roles between the judicial branch and the executive branch, as well as the cost to courts to comply with the standard. The joint subcommittee noted that community education and monitoring subdivisions are more properly the "the role of executive branch entities such as county behavioral health departments" and stated that the council "should not adopt a standard that suggests these activities are the responsibility of courts." One superior court commented that while the educational component in subdivision (b)(1) "may be a laudable goal ..., requiring judges to provide education as a Standard of Judicial Administration is inappropriate." The comment also raised concerns that there was no additional funding given to courts to carry out this educational function.

The superior court judge also expressed concern that previously proposed subdivision (b)(2) compromised the independence of the judiciary by encouraging it to convene certain agencies (local behavioral health and social service agencies) but not others. Because the committee does

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<sup>8</sup> Proposed standard 7.20(a)(1) was "Judicial officers of CARE Act courts, in consultation with the presiding judge of the superior court and to the extent that it does not interfere with the adjudication process, are encouraged to [m]onitor what specific supports and services are available in the local community for inclusion in CARE agreements and CARE plans."

<sup>9</sup> Proposed standard 7.20(b)(1) was "The CARE Act court should [e]ducate the community concerning the role of the CARE Act court in providing services and support for eligible adults."

not intend to exclude any local agencies, it has revised the subdivision to emphasize the inclusion of all relevant local public agencies and stakeholders.

### *Personal service*

The committee received two comments related to the personal service. A local bar association commented in support of the amendments to rule 7.2235 and stated that the rule “will help with efficiency” especially for respondents who do not prefer personal service. The comment acknowledged that personal service could be onerous but that giving the respondent the right to choose between personal service and alternate methods of service “supports the patient’s self-determination in court proceedings.”

The other comment, submitted jointly by three associations representing counties across the state, expressed concern with rule 7.2235’s mandate that personal service be required throughout the entirety of the CARE Act proceedings and proposed alternative language. The comment stated that “county behavioral health professionals responsible for treating the CARE population report that constantly interjecting the intimidating formality of personal service into what is supposed to be a therapeutic process actually hinders that process and degrades trust and open communication.” The comment cited “the repeated continuances and extensions caused by difficulties in effecting personal service” as a reason why the CARE Act is “not yet producing the results anticipated by the Legislature and Governor.” The commenters provided suggested language that would retain the personal service requirement through the Notice of Initial Appearance, and then for subsequent hearings, the court would determine whether personal service is “necessary, effective, and feasible based on the circumstances of each case.”

After reviewing the commenter’s suggestion and evaluating other possible revisions, the committee concluded that maintaining the personal service requirement but adding the proposed rule 7.2235(e), which gives the respondent the right to waive personal service of notice or to choose to receive notice through other means, is the most effective method to safeguard the rights of all respondents while maintaining the efficiency and effectiveness of the CARE Act. The committee must balance the burdens and costs of a rule with ensuring actual notice to the respondent, without which the CARE process would not function. The committee believes that a default of personal service, with the other options as necessary and appropriate, is imperative because some respondents unquestionably require personal service to receive actual notice. Additionally, because some of the most consequential liberty and rights determinations, such as ordering a CARE plan or termination from the CARE process, occur after the initial appearance stage, not guaranteeing notice when the due process need is highest would be inappropriate.

Further, the committee believes that a revised structure requiring the court to make a finding in each case whether personal service is appropriate would lead to more inefficiencies. An approach that requires the court to make an individualized determination in every case of “whether personal service is necessary, effective, and feasible based on the individual circumstances of each case” would require significant review and would likely impair the efficiency of CARE Act proceedings.

The committee also notes that rule 7.2235 does not require personal service in all cases. Rule 7.2235 already allows for the use of other types of service if personal service is impracticable. This provision provides a mechanism for the court to order alternative service if necessary. Additionally, the waiver provision in rule 7.2235(e) offers an alternative for those respondents who find personal service to be intimidating, nontherapeutic, or otherwise inappropriate. Therefore, alternative service is permitted if either (1) the respondent chooses or (2) the respondent's circumstances make personal service unworkable.

### ***Forms***

The invitation to comment specifically asked commenters whether forms CARE-118 and CARE-119 allow courts to provide sufficient notice without disclosing confidential medical information. Commenters who provided feedback in response to this question noted that the proposed forms do allow courts to provide required notice without disclosing confidential medical information.

Additionally, the committee requested comments from courts regarding the need for rules of court to accompany form CARE-118 and CARE-119 and whether the forms should provide additional instructions to the court on how to determine the reasoning or basis for the continuance or dismissal. Court commenters agreed that additional rules or instructions were not necessary, because the CARE Act statutes provide sufficient guidance. One court suggested that form CARE-118 should be revised to include the original date of the hearing and the time, department, and location for the continued hearing. The committee does not recommend accepting this change because these elements are not statutorily required and may encourage the petitioner to attempt to attend a hearing that they do not have a statutory right to attend.

In addition, two agencies and one nonprofit association suggested revisions to forms CARE-050-INFO, CARE-100, and CARE-102. The committee accepted most of these suggested changes to increase the clarity, readability, or structure of the items on respective forms. The committee also made conforming changes to maintain consistency across different forms.

The committee declined to accept revisions to form CARE-100 that did not correspond to the framework of the statute. In particular, one commenter suggested that two of the seven eligibility criteria should be combined because the information often overlaps. The committee noted that the potential for overlap exists in all the criteria and that it believes the instructions regarding the ability of petitioners to not repeat themselves is sufficient. Additionally, the commenter suggested a reorganization of item 6 that would make the form no longer conform to section 5975(d).

### **Alternatives considered**

The committee did not consider taking no action. SB 42, SB 1323, and SB 1400 require the council to amend rules and revise forms. As described above, the committee considered revising rule 7.2235 as it relates to the personal service requirement for respondents. The committee considered revising standard 7.20(a)(1) and (b)(1) rather than removing the subdivisions altogether. The committee also considered adding the new hearing time, department, and location but determined that doing so is not statutorily required and noted that many of the

original petitioners would not be permitted to attend. Finally, the committee considered changing the operative date for the proposal to coincide with the operative dates of SB 42, SB 1323, and SB 1400 but determined that that would be unworkable and unnecessary.

### **Fiscal and Operational Impacts**

The committee's recommendations impose indeterminate costs on the courts to change their operational procedures, but such changes are the result of new legislation. For example, one court commented that implementing the recommended rules, forms, and standard would involve updating procedures, training business office and courtroom staff, and notifying judicial officers. The committee believes the costs associated with these efforts are necessary components of maintaining respondents' best interests and striving to implement the CARE Act as effectively as possible.

The committee also recognizes that some of these costs may be offset by improved efficiency of the CARE Act as a result of these changes. For example, the committee believes that the new alternative petition will minimize money costs because a licensed behavioral health professional can fill out a tailored petition and not need to file multiple documents.

### **Attachments and Links**

1. Cal. Rules of Court, rules 7.2210, 7.2221 and 7.2235, at pages 12–14
2. Forms CARE-050-INFO, CARE-060-INFO, CARE-100, CARE-102, CARE-118, and CARE-119, at pages 15–36
3. Cal. Stds. Jud. Admin., std. 7.20, at page 37
4. Chart of comments, at pages 38–74
5. Link A: Sen. Bill 42,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB42](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB42)
6. Link B: Sen. Bill 1323,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB1323](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1323)
7. Link B: Sen. Bill 1400,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB1400](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1400)

Rules 7.2210, 7.2221, and 7.2235 of the California Rules of Court are amended, effective July 1, 2025, to read:

1 **Rule 7.2210. General provisions**

2  
3 (a)–(c) \* \* \*

4  
5 (d) ~~Respondent within juvenile court jurisdiction~~ **Related proceedings**  
6 (**§ 5977.4(c), 5978, 5978.2**)

7  
8 (1) *Definition*

9  
10 “Related proceedings” means a proceeding identified in section 5978 from  
11 which a referral occurred that prompted a CARE Act proceeding or a court  
12 case through which the respondent is within the juvenile court’s dependency,  
13 delinquency, or transition jurisdiction.

14  
15 ~~(1)~~ (2) *Informing the juvenile court and respondent’s attorney in related*  
16 *proceedings*

17  
18 ~~Upon learning that a~~ If the CARE Act court learns that the respondent has  
19 been referred from a proceeding identified in section 5978 or that the  
20 respondent is within a juvenile court’s dependency, delinquency, or transition  
21 jurisdiction, the CARE Act court must order the county agency to:

22  
23 (A) Inform the juvenile court in the related proceeding that a CARE Act  
24 petition has been filed on behalf of that respondent; and ~~The court may~~  
25 ~~communicate this information in any suitable manner.~~

26  
27 (B) Notify the respondent’s attorney, if any, in the related case that a  
28 CARE Act petition has been filed on behalf of the respondent and  
29 provide that attorney with the contact information of the respondent’s  
30 CARE Act attorney, if known.

31  
32 (3) *Communication between courts*

33  
34 The CARE Act court and the court in the related proceeding may  
35 communicate regarding the status of the respondent’s cases in any manner  
36 consistent with the limits in section 5978.2.

37  
38 ~~(2)~~ (4) *Concurrent jurisdiction with juvenile court in related proceeding*

39  
40 The CARE Act court is not precluded by statute from exercising jurisdiction  
41 over a respondent who is within a juvenile court’s dependency, delinquency,  
42 or transition the jurisdiction of the court in the related proceeding. The CARE



1 Act court and the juvenile other court may, therefore, exercise concurrent  
2 jurisdiction over such a respondent.

3  
4 **(e) ~~Notification of respondent's attorney in related proceedings (§§ 5977.4(e),~~**  
5 **~~5978, 5978.2)~~**

6  
7 ~~If the CARE Act court learns that the respondent has been referred from a~~  
8 ~~proceeding identified in section 5978 or that the respondent is within a juvenile~~  
9 ~~court's dependency, delinquency, or transition jurisdiction, the court must order the~~  
10 ~~county agency to:~~

11  
12 (1) ~~Notify the respondent's attorney, if any, in the related case that a CARE Act~~  
13 ~~petition has been filed on behalf of the respondent; and~~

14  
15 (2) ~~Provide the attorney with the contact information of the respondent's CARE~~  
16 ~~Act attorney, if known.~~

17  
18 **(f) ~~No communication of further information (§ 5976.5)~~**

19  
20 ~~Subdivisions (d) and (e) of this rule does not authorize the communication of~~  
21 ~~information other than that identified in those that subdivisions absent an express~~  
22 ~~waiver by the respondent.~~

23  
24 **Advisory Committee Comment**

25  
26 **Subdivisions (d) and (e).** As used in ~~these~~ this subdivisions, the phrase “within a juvenile court’s  
27 dependency, delinquency, or transition jurisdiction” refers to a respondent whom a juvenile court  
28 has found to be described by Welfare and Institutions Code section 300, 450, 601, or 602 and  
29 who is currently within the juvenile court’s jurisdiction based on one of those descriptions. The  
30 term does not refer to any other party to a juvenile court proceeding.

31  
32 **Subdivision (d)(2)(4).** The subdivision is intended to describe the effect of existing law. ~~Neither~~  
33 ~~the juvenile court law (Welf. & Inst. Code, §§ 200–987), nor the CARE Act, No provision of law~~  
34 ~~precludes concurrent jurisdiction or, conversely, confers exclusive jurisdiction on either any court~~  
35 ~~over matters relating to the mental health treatment of persons who meet the statutory~~  
36 ~~jurisdictional criteria of both each court, unless otherwise specified.~~

37  
38  
39 **Rule 7.2221. Papers to be filed (§ 5975)**

40  
41 **(a)** A petition to commence CARE Act proceedings must be made on *Petition to*  
42 *Commence Begin CARE Act Proceedings* (form CARE-100) or, if the petitioner is a  
43 licensed behavioral health professional as defined in section 5971(l), on *Petition to*

1 Begin CARE Act Proceedings by Licensed Behavioral Health Professional Only  
2 (form CARE-102).

3  
4 **(b)** If using *Petition to Begin CARE Act Proceedings* (form CARE-100), the petition  
5 must include either:

6  
7 (1) A completed *Mental Health Declaration—CARE Act Proceedings* (form  
8 CARE-101); or

9  
10 (2) The evidence described in section 5975(d)(2).

11  
12 **(c)** If using *Petition to Begin CARE Act Proceedings by Licensed Behavioral Health*  
13 *Professional Only* (form CARE-102), the documentation in subdivision (b) is not  
14 required.

15  
16 **Rule 7.2235. Notice of proceedings (§§ 5977–5977.3, 5979)**

17  
18 **(a)–(d)** \* \* \*

19  
20 **(e)** **Waiver**

21  
22 Nothing in these rules limits the right of the respondent to waive personal service  
23 of notice or to choose to receive notice through their attorney or by other means.  
24 Any such waiver must be in writing or made orally in open court.

This information sheet describes the CARE Act and how to fill out *Petition to Begin CARE Act Proceedings* (form [CARE-100](#)). A court self-help center may also be able to help you. Go to <https://selfhelp.courts.ca.gov/self-help/find-self-help> to find your court's self-help center. **Note:** There is no cost to file a CARE Act petition.

## 1 What is the CARE Act?

CARE stands for Community Assistance, Recovery, and Empowerment. The CARE Act allows a person in one or more of 14 categories (see page 2) to file a petition asking a court to start proceedings intended to get help for an adult who has a schizophrenia spectrum disorder or another psychotic disorder and meets several other requirements. The person who asks the court to start the proceedings is called the *petitioner*. This form assumes that you are thinking about whether to file a petition and become a petitioner. The person who you think needs help is called the *respondent*.

If the court decides that the respondent is eligible for CARE, the county behavioral health agency will work with them to try to reach a CARE agreement, as described in item 2.

## 2 What is a CARE agreement or CARE plan?

A CARE agreement and a CARE plan are written documents that describe services to support the recovery and stability of the respondent. They must be approved by court order. Services may include clinical behavioral health care; counseling; specialized psychotherapy, programs, and treatments; stabilization medications; a housing plan; and other supports and services provided directly and indirectly by local government. The agreement or plan cannot give anyone the right to use force to medicate the respondent.

A CARE agreement is a voluntary agreement for services and treatment between the respondent and the county behavioral health agency after a court has found that the respondent is eligible for the CARE program. For the agreement to be valid, the court must approve it. The court can change the agreement before approving it.

A CARE plan is a set of community-based services and supports for the respondent that is ordered by the court if the respondent and the county cannot reach a CARE agreement.

A CARE plan or CARE agreement may be amended if the respondent and the county agree to amend the plan or agreement. The court may also approve amendments to a CARE plan without the parties' agreement if the court holds a hearing and finds that the amendments are needed to support the respondent in getting the help they need.

## 3 Have you thought about ways to help other than CARE Act proceedings?

There may be other ways to help a person with a serious mental illness. If the person has private health insurance, contact their health plan/insurer. If you do not know if the person has private health insurance or if they do not have private insurance, contact your county's behavioral health agency or check its website.

County behavioral health agencies offer many services. These include services like counseling, therapy, and medication and can also include programs like full-service partnerships, rehabilitative mental health services, peer support services, intensive case management, crisis services, residential care, substance use disorder treatment, assertive community treatment, and supportive housing. Counties are required to provide services to Medi-Cal beneficiaries who qualify for specialty mental health and substance use disorder services. They are also allowed to provide their services to people who do not receive Medi-Cal, depending on local funding and eligibility standards. These services do not require a court order. Also, you can contact your local behavioral health agency to refer someone to CARE Act proceedings without filing a petition. The agency can investigate and may decide to file a petition itself, but it is not required to do so.

Find out if the person has made an advance health care directive or psychiatric advance directive. These written documents name someone else to make health care decisions for a person when that person cannot. If the person has a directive, you can contact the person named in it to ask for their help. Think about looking into local social services and community-based programs too.



**4 How do I complete *Petition to Begin CARE Act Proceedings* (form CARE-100)?**

This section walks you through the petition, form CARE-100, item by item.

**Item 1: Names and Age**

As noted on page 1, you are the *petitioner*, the person asking the court to start CARE Act proceedings for the *respondent*, a person who needs help because of a serious mental disorder. In item 1 of form CARE-100, enter your name, the respondent's name, and the respondent's date of birth (or, if you don't know it, give the respondent's approximate age).

**Item 2: What Type of Petitioner Are You?**

In item 2, confirm that you are an adult, and check the box next to each petitioner type that applies to you:

- A person who lives with the respondent.
- The respondent's spouse or registered domestic partner, parent, sibling, child, or grandparent.
- A person who has authority to act as the respondent's parent.
- The director of a county behavioral health agency of the county where the respondent lives or is present, or the director's designee.
- A licensed behavioral health professional who is or has been supervising the treatment of or treating the respondent for a mental disorder within the last 30 days, or the professional's designee.
- The director of a public or charitable agency who is or has, within the last 30 days, been providing behavioral health services to the respondent or in whose institution the respondent resides, or the director's designee.
- The director of a hospital in which the respondent is or was recently hospitalized, or the director's designee.
- A California tribal court judge in whose court the respondent has appeared within the previous 30 days, or the judge's designee.
- The director of adult protective services of the county where the respondent lives or is present, or the director's designee.
- The director of a California Indian health services program or tribal behavioral health department that is or has, within the previous 30 days, been providing behavioral health services to the respondent, or the director's designee.
- A first responder who has encountered the respondent multiple times to arrest or involuntarily detain the respondent, engage the respondent in voluntary treatment, or make other efforts to get the respondent professional help.
- The public guardian or public conservator of the county where the respondent lives or is present, or the public officer's designee.
- A conservator or proposed conservator referred from a proceeding under the Lanterman-Petris-Short (LPS) Act.
- The respondent.

**Item 3: Your Interaction With the Respondent**

Describe your interactions and relationship with the respondent in item 3. For example, describe how you know the respondent, how often you see or talk with them, when (give the date) you last saw them, and what happened when you interacted with the respondent.

**Item 4: The Respondent's Contact information**

If you know where the respondent lives, enter that address in item 4a. If you do not know the respondent's address or if they do not have one, give the respondent's last known location and any other information, such as a post office box where they get mail or locations where they are frequently found, that might help to locate the respondent. In item 4b, provide the respondent's phone number—including whether they respond to text messages—and their email address, if any. If you are in contact with the respondent, check the box or boxes in item 4c that show all ways you have been able to contact them. Then, if respondent needs any language assistance, check the box in item 4d and identify the respondent's preferred language.



**Item 5: The Right Court and County**

You can file a petition *only* in a county where the respondent lives, where the respondent is currently located, or where the respondent is involved in a court case. In item 5, check the box or boxes that show why the county where you are filing the petition is the right place to file. If the respondent does not live in the county, state what county they live in, if you know it.

**Item 6: Required Supporting Evidence**

You must include supporting evidence in or with the petition. That evidence must be one of the following:

- a. A completed declaration by a licensed behavioral health professional on *Mental Health Declaration—CARE Act Proceedings* (form CARE-101); **OR**
- b. A statement or documentation that the respondent has been hospitalized at least twice for involuntary treatment, and that the most recent hospitalization ended no more than 60 days before you file the petition.

If you know personally about the respondent’s hospitalizations for involuntary treatment, you can describe them in the space provided in item 6a. You can also check item 6b and attach documentation, such as copies of certifications for intensive treatment, declarations from one or more witnesses to the involuntary treatment, or other documents showing that the respondent was hospitalized at least twice for involuntary treatment. At least one piece of evidence should show the beginning and ending (discharge) dates of the most recent treatment period.

**Note:** For purposes of the CARE Act, “involuntary treatment” includes only a 14-day hold for intensive treatment authorized by Welfare and Institutions Code section 5250. It does *not* refer to treatment authorized by any other statute, including but not limited to a 72-hour hold under Welfare and Institutions Code section 5150 or treatment under Welfare and Institutions Code section 5260, 5270.15, and 5270.70.

**Item 7: The Respondent’s Eligibility for the CARE Process**

Your petition must state facts and provide information to support your claim that, to the best of your knowledge, the respondent is eligible for the CARE Act process. **All** of the following requirements, which are listed in items 7a–7f on form CARE-100, must be met for a respondent to be eligible. If you are attaching a declaration on form CARE-101 (see item 6a above) containing that information, then you may check the box at the beginning of item 7 and not fill out the rest of that item. Please note that the situations discussed below are only *examples* of circumstances that **may** qualify. The court decides whether each respondent is eligible based on facts about that respondent.

Requirements	Explanations	Examples
<b>The respondent must be 18 years old or older and must:</b>		
Have a diagnosis of a schizophrenia spectrum disorder or another psychotic disorder in the same class, as defined in the current <i>Diagnostic and Statistical Manual of Mental Disorders</i> (item 7a).	<p>Only a person with a schizophrenia spectrum or other psychotic disorder is eligible for the CARE Act process. A person who does not have that diagnosis is not eligible even if they have a different serious mental disorder, such as bipolar disorder or major depression.</p> <p><b>Note:</b> The psychotic disorder must not be based on a medical condition, including a physical health condition such as a traumatic brain injury, autism, dementia, or a neurological condition. A person with a current diagnosis of substance use disorder must also have a psychotic disorder and meet all the other criteria in item 7 to be eligible.</p>	Schizophrenia, schizophreniform disorder, schizoaffective disorder, delusional disorder, schizotypal personality disorder, and other psychotic disorders.



Requirements	Explanations	Examples
<p>Be currently experiencing a serious mental disorder that <b>(item 7b)</b>:</p> <ul style="list-style-type: none"> <li>• Is severe in degree and persistent in duration</li> <li>• May cause behavior that interferes substantially with the person’s activities of daily living, <b>and</b></li> <li>• May lead to an inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period.</li> </ul>	<p>Indicate any behaviors, such as delusions, hallucinations, or unusual and ongoing mood changes, that substantially interfere with the respondent’s ability to perform essential and routine tasks needed for work or self-care.</p> <p>Describe why you believe the respondent is unable to live independently, function in the community, and take care of their condition and social relationships without additional help.</p>	<p>If caused by a chronic, prolonged, or recurrent mental disorder:</p> <ul style="list-style-type: none"> <li>• Difficulty with self-care (e.g., bathing, grooming, obtaining and eating food, dressing appropriately for the weather, securing health care, or following medical advice).</li> <li>• Difficulty maintaining a residence, using transportation, or managing money day to day.</li> <li>• Difficulty concentrating or completing tasks as scheduled.</li> <li>• Difficulty functioning socially, creating and maintaining relationships.</li> <li>• Recent history of inability to care for themselves (bathe, groom, get food and eat, use the restroom) daily without additional help.</li> </ul>
<p>Not be clinically stabilized in ongoing voluntary treatment <b>(item 7c)</b>.</p>	<p>Describe why you believe the respondent is not being adequately supported in a voluntary treatment program such that their condition and symptoms are stable.</p>	<ul style="list-style-type: none"> <li>• Repeated and ongoing refusal to accept voluntary treatment without reason.</li> <li>• Temporary acceptance of voluntary treatment that is interrupted by failure or refusal to continue the treatment without reason.</li> <li>• Voluntary treatment is accepted, but that treatment is not effective to stabilize the respondent.</li> </ul>
<p><b>At least one of the following must be true (item 7d):</b></p>		
<p>The respondent is unlikely to survive safely in the community without supervision <b>and</b> the respondent’s condition is substantially deteriorating <b>(item 7d(1))</b>.</p> <p><b>OR (see next page)</b></p>	<p>Indicate recent instances where the respondent has needed supervision to survive in the community due to lack of reality orientation, confusion, or impaired insight.</p> <p>Describe how the respondent’s ability to think clearly, communicate, or participate in regular activities has been getting worse recently.</p>	<ul style="list-style-type: none"> <li>• Recent or frequent hospitalizations due to symptoms such as delusions, hallucinations, disorganization, impaired insight, impaired judgment.</li> <li>• Recent or frequent arrests due to a mental disorder.</li> </ul>



# CARE-050-INFO Information for Petitioners—About the CARE Act

Requirements	Explanations	Examples
<p>The respondent needs services and supports to prevent a relapse or deterioration that would likely result in grave disability or serious harm to the respondent or others (<b>item 7d(2)</b>).</p>	<p>Describe how the respondent would <b>become</b> gravely disabled or <b>likely</b> to cause serious harm to themselves or others without services and supports.</p> <ul style="list-style-type: none"> <li>• <i>Grave disability</i> includes a person’s inability, due to a mental disorder, to provide for their basic personal needs for food, clothing, shelter, <b>safety</b>, or <b>medical care</b>.</li> <li>• <i>Serious harm</i> includes injury causing extreme pain, high risk of death, or loss of physical or mental functions.</li> </ul>	<ul style="list-style-type: none"> <li>• A person who has immediate access to safe housing but chooses, because of a mental disorder, to live in conditions that could lead to a danger to their health.</li> <li>• A person who recently attempted suicide because of their mental disorder and continues to express a desire to harm themselves.</li> <li>• Self-injuring behavior, such as walking into traffic or harming oneself unknowingly through behavior that puts them at risk for serious injury or death.</li> </ul>
<p><b>The respondent’s participation in a CARE plan or CARE agreement must:</b></p>		
<p>Be the least restrictive alternative necessary to ensure the respondent’s recovery and stability (<b>item 7e</b>), <b>and</b></p>	<p>Explain how participation in a CARE plan or CARE agreement:</p> <ul style="list-style-type: none"> <li>• Would effectively meet the respondent’s treatment needs while placing as few limits as possible on the respondent’s rights and personal freedoms.</li> <li>• Is necessary because other less restrictive alternatives would not ensure the respondent’s recovery and stability; for example, because other less restrictive alternatives have not been successful.</li> </ul>	<p>Less restrictive alternatives might include:</p> <ul style="list-style-type: none"> <li>• <b>Voluntary full-service partnerships</b>, which are collaborative relationships between the county and the individual, and when appropriate the individual’s family, through which the county plans for and provides the full spectrum of community services.</li> <li>• <b>Supported decisionmaking</b>, which is an individualized process of supporting and accommodating an adult with a disability to enable them to make life decisions without impeding their self-determination.</li> <li>• <b>Assertive community treatment</b>, which is a person-centered, recovery-based treatment option that employs low client-to-staff ratios.</li> </ul>
<p>Be likely to benefit the respondent (<b>item 7f</b>).</p>	<p>Explain how participating in a CARE plan could help the respondent stabilize and improve their current state and situation.</p>	<ul style="list-style-type: none"> <li>• The respondent’s prior improvement when participating in similar treatment programs.</li> <li>• Medical opinion that the patient would benefit from treatment.</li> </ul>

**Note:** Include in the petition as much information as you have about each item listed above. If you notice you’re repeating yourself, you can say that you already gave the information and say where you said it before. You may also attach any documents you have that support one or more of those items.



## Item 8: Other Optional Information

In item 8, check any of the boxes that apply to the respondent and provide any requested information that you know. Please find information about specific sections of item 8 below.

**Note:** If you don't know the information requested in any part of item 8, leave that part blank. The petition will be processed even if you do not complete item 8.

- **Regional Center:** If you know that respondent is served by a regional center, please check item 8b, provide the name and location of the center, and list any services the center provides to the respondent. A list of service centers can be found at [www.dds.ca.gov/rc/listings/](http://www.dds.ca.gov/rc/listings/).
- **Tribal Enrollment or Services From an American Indian Health Care Provider:** If you know that the respondent is a member of a federally recognized Indian tribe or is receiving services from a California Indian health care provider, tribal court, or tribal organization, include that information in item 8d or item 8e.
- **Juvenile Court Information:** If the respondent is within a juvenile court's jurisdiction as a dependent, ward, or nonminor dependent, fill out item 8f. Give the court name, the case number, and contact information for the respondent's juvenile court attorney.
- **Conservator Information:** If the respondent has a conservator, fill out item 8g. Give the court name, the case number, and contact information for the respondent's conservatorship attorney.

## Item 9: Court Referral

If you are filing a petition in response to a referral from another court proceeding, fill out item 9. Give the name of the referring court and the case number, department, and type of case, if you know it. If you have a copy of the referral order, label it "Attachment 9" and attach it to the petition.

## Item 10: Attachments

In item 10, list the total number of pages attached to the petition.

**Signature:** You must write the date, print your name, and *sign the petition under penalty of perjury*. That means that if you have stated anything that you know is not true on the form, you may be criminally liable. If you have an attorney helping you, they will sign as well.

### 5 Am I required to give or send the petition to the respondent or anyone else?

No. To begin CARE Act proceedings, you must file the petition with the court. You do not need to give or send a copy of the petition to the respondent or anyone else.

### 6 What will happen after I file the petition?

After you file the petition, the court will review it and the supporting documents filed with it. The court will decide if the documents show that the respondent meets or may meet the CARE Act eligibility requirements. Then the court will either:

- a. **Dismiss the petition** if it finds (1) that the petition does not show that the respondent meets or may meet the CARE Act eligibility requirements **or** (2) that the respondent is voluntarily working with the county agency, their engagement is effective, and the respondent has enrolled or is likely to enroll in voluntary treatment through the county or another provider. **OR**
- b. **Order a report** if it finds that the petition shows that the respondent meets or may meet the CARE Act eligibility requirements. The court order will require a county agency to engage the respondent and file a written report with the court as soon as practicable, but within 30 court days. If the court orders a report, the county agency will notify you and the respondent.

**Note:** The procedures are different if the county behavioral health agency is the petitioner.





**7 The initial appearance**

If the court finds that the county agency's report supports the petition's showing that the respondent meets or may meet the CARE Act eligibility requirements and the county's engagement with the respondent was not effective, the court will set an *initial appearance*. The court will also order the county to give notice of the initial appearance to you, as well as to the respondent, the respondent's appointed counsel, and the county behavioral health agency.

You, the petitioner, must be present at the initial appearance, or the court may dismiss the petition. You will receive a notice in the mail of the date, time, and place of the initial appearance.

**Note:** At the initial appearance, the director of the county behavioral health agency, or the director's designee, will replace you as the petitioner.

**8 Do petitioners have any rights?**

You have the right to go to the hearing on the merits and make a statement. And if the respondent agrees, the court may also allow you to participate in the rest of the CARE Act proceedings. If you live with the respondent; are the spouse, parent, sibling, child, or grandparent of the respondent; or are someone who has authority to act as a parent, the court will provide ongoing notice to you throughout the CARE Act proceedings, including notice of when a court proceeding is postponed or when the case is dismissed. However, the court will not provide this notice if the court decides that giving notice to you would not be in the best interest of the respondent or their treatment.

If the petition is dismissed and later the respondent's situation changes, you may file a new petition with the court.

**9 What is a vexatious litigant?**

A *vexatious litigant* is a person whom a court has found to have used the court process to harm or annoy other people by repeatedly suing them or filing other papers against them without a good reason.

A CARE Act court may find that a person is a vexatious litigant if that person files more than one CARE Act petition that is not true or is intended to disturb, harm, or annoy the respondent. Once declared a vexatious litigant, a person may be placed on a vexatious litigants list kept by the Judicial Council. The court may enter an order that prevents a vexatious litigant from filing any new litigation, including other types of cases (not just CARE Act petitions), without first getting permission from the trial court presiding judge. If such an order is issued, the court may fine a person who does not follow the order or send them to jail for contempt of court.

**10 What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use *Request for Interpreter (Civil)* (form [INT-300](#)) or a local court form or website to request an interpreter. For more information about court interpreters, go to <https://selfhelp.courts.ca.gov/request-interpreter>.

**11 What if I have a disability?**

If you have a disability and need an accommodation while you are at court, you can use *Disability Accommodation* (form [MC-410](#)) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form [MC-410-INFO](#)) or go to <https://selfhelp.courts.ca.gov/jcc-form/MC-410>.

This information sheet provides information about the CARE Act and CARE Act proceedings.

## 1 Why am I being given these documents?

Someone has filed a petition with a court to start a CARE Act case for you. In the case, you are called the *respondent*. The CARE Act applies only to specific people. The petition asks a court to decide if you are one of them. The court has found that you might be. It is asking for more information to help it decide if you are.

### Important information for you:

- You have been appointed an attorney, free of charge.
- Your court-appointed attorney will try to contact you about this case using the last known address or location on file for you.
- You may also contact your attorney at any time. Your attorney's contact information is listed in item 5 of *Order for Care Act Report* (form CARE-105) and item 4 of *Notice of Initial Appearance—CARE Act Proceedings* (form CARE-110). You should have received one of those forms when you got this form.
- You should make sure that your attorney knows how to get in touch with you. Give them your contact information and let them know if it changes.
- You may also choose an attorney to represent you instead of the appointed attorney. If you choose your own attorney, you are responsible for their fees.
- You have the right to an interpreter, free of charge, at every CARE Act court hearing.

## 2 What is the CARE Act?

CARE stands for Community Assistance, Recovery, and Empowerment. The CARE process is a way to get court-ordered treatment, services, support, and a housing plan for adults with schizophrenia spectrum disorders or other similar psychotic disorders.

The CARE process uses outreach, meetings, and court hearings. The court will decide if you meet the eligibility requirements. One or more county agencies will be part of the process. If you are eligible, they will work with you to identify services and supports you might need.

If you are eligible for the CARE Act, the court will ask you to work with the county behavioral health agency to make a CARE agreement for services and supports. If you do not reach an agreement with the county agency, the court will order a clinical evaluation of your mental health. After reviewing the evaluation, the court will decide if you are still eligible. If you are, the court will order you and the county agency to develop a CARE plan.

## 3 What is CARE eligibility?

To be eligible for the CARE process, you need to be at least 18 years old and have a schizophrenia spectrum disorder or another psychotic disorder. That disorder, or another mental disorder that you have, must be serious. That means it has lasted for a long time, it can make you do things that interfere with your life, and it can make it impossible for you to live on your own for very long without treatment, support, and rehabilitation.

You also cannot be stabilized in a voluntary treatment program. In addition, *either* it must be unlikely that you will survive safely in the community without somebody watching over you and your condition is getting a lot worse, *or* you must need services and supports to keep your symptoms from coming back or getting bad enough that you would probably become severely disabled or would seriously hurt yourself or somebody else. Finally, it must be likely that going through the CARE process will help you and that nothing less restrictive than the CARE process will make sure that you recover and stabilize.

## 4 What is a CARE agreement or CARE plan?

A CARE agreement and CARE plan are written documents that contain services designed to support you. They must be approved by court order. They may include clinical behavioral health care; counseling; specialized psychotherapy, programs, and treatment; stabilization medications; a housing plan; and other supports and services, provided directly or indirectly by local government. These documents cannot give anyone the right to use force to medicate you.



**4 What is a CARE agreement or CARE plan?**

A CARE agreement is a voluntary agreement between you and the county behavioral health agency. If you are eligible for the CARE program, the court will order you and the county agency to try to reach a CARE agreement. The court can change the agreement before approving it. After the court approves the CARE agreement, it can still be changed if you and the county agency agree to change it.

If you cannot reach a CARE agreement, the court may ask you to work with the county to create a CARE plan. A CARE plan is an individualized range of community-based supports and services. It can include the same services and supports as a CARE agreement. You and the county agency will propose one or more CARE plans to the court. The court will order the final CARE plan and can also change it later.

**5 Who is the petitioner?**

The petitioner is the person who is asking the court to start CARE Act proceedings for you.

**6 Who is the respondent?**

The respondent is you, the person the court is being asked to start CARE Act proceedings for.

**7 What happens after the petition has been filed?**

The court reviews the petition and decides if you might be eligible for the CARE process. If it thinks you might be, the court may order a county agency to try to contact you, talk with you, and file a written report. The county agency must file the report with the court as soon as practicable, but within 30 court days, unless the court gives it more time. The county will let you and the petitioner know if the court orders a report.

**What happens if the county agency contacts me?**

The county agency will ask you about your mental and physical health. It will also ask how your mental health affects your your life and what services and treatment you think would be helpful. It will ask if you are willing to work with the county to get connected to those services and treatment options.

**What will the report include?**

The county agency will file a report even if it is not able to contact you. The report will include:

- The agency’s opinion about whether you meet, or are likely to meet, the CARE eligibility requirements. These include your mental health diagnosis and current condition, whether you need additional services, and whether there are other services that would help you but be less restrictive than a CARE agreement or plan.
- The county’s efforts to get you to participate voluntarily in services and whether the county thinks you can participate voluntarily in services.

**What happens after the court receives the report?**

After the court receives the report, it will either:

- **Dismiss the proceedings:** If the court finds, based on the petition and the county’s report, that you are not eligible for the CARE process or that you are working willingly and effectively with the county agency and have enrolled or are likely to enroll in behavioral health treatment, the court will dismiss the case; or
- **Set an initial appearance (court hearing):** If the court finds that the county’s report shows that you may be eligible for the CARE process and the county’s contacts with you were not able to connect you with voluntary services and treatment, the court will set an initial appearance.

**Note:** The court has appointed an attorney for you. The attorney will contact you at the beginning of the CARE Act process. If the court sets an initial appearance, the county will give you notice of the date, time, and place of the hearing along with additional information.



**8** What happens at the initial appearance and the hearing on the merits?

**At the initial appearance:**

- You may replace your court-appointed attorney with an attorney that you choose.  
**Note:** If you choose your own attorney, you are responsible for their fees, if any.
- You have the right to appear in person. You can choose to give up your right to attend personally, and your attorney can appear on your behalf.
- If you do not tell the court, through your attorney, that you are choosing not to attend and you do not appear, the court may have a hearing without you. To do that, the court needs to find that reasonable attempts to encourage you to appear have failed and that having a hearing without you would be in your best interests.
- The petitioner must be present at the initial appearance, or the court may dismiss the petition.
- A representative from the county behavioral health agency will be present.
- If the original petitioner is not the director of a county behavioral health agency, the court will replace the original petitioner with the director of the county behavioral health agency or their designee, who will then take over as the petitioner.
- If you are enrolled in a federally recognized Indian tribe or receiving services from an Indian health care provider, a tribal court, or a tribal organization, the law allows a representative from the program, the tribe, or the tribal court to be present if you consent. The county must give notice of the initial appearance to the tribal representative.
- The court will set a hearing on the merits of the petition.
- The hearing on the merits of the petition may happen at the same time as the initial appearance but only if you (the respondent), the petitioner, and the court all agree.

**At the hearing on the merits:**

The court will decide if you meet the CARE Act requirements. The court will consider the petition, the report from the county agency, and all evidence properly presented to it, including evidence that you provide.

- **If the court finds that you *do not* meet the CARE Act requirements:** The court will dismiss the petition. The original petitioner may be able to file a new petition if something changes unless the court finds that the original petition was not filed in good faith.
- **If the court finds that you *do* meet the CARE Act requirements:** The court will order the county behavioral health agency to work with you, your attorney, and your supporter, if you have one, to connect you with behavioral health treatment. You all will also need to decide if you and the behavioral health agency can reach a CARE agreement. The court will set a case management hearing.

**Note:** If you are enrolled in a federally recognized Indian tribe and you want a tribal representative to attend the case management hearing, you should let the tribe know the date, time, and place of the hearing.

**9** What rights do petitioners have?

The original petitioner has the right to go to the hearing on the merits and make a statement. If the original petitioner lives with you; is your spouse, parent, sibling, child, or grandparent; or is someone who has authority to act as your parent, the court will continue to give them notice about the case, unless it decides that that notice would be harmful to you. In addition, if you agree, the court may allow that person to participate in your CARE Act process.

If the original petitioner is not someone listed above, the court will not give them additional rights.



**10 What rights do respondents have?**

You have the right to be informed of what is happening in your case. You have the right to participate in your case. You have the right to an attorney at all stages of the process. You have the right to an interpreter if you need one. You have the right to keep confidential all CARE evaluations, reports, documents, and filings. You also have other rights that are described in *Notice of Respondent's Rights* (form CARE-113). You will get a copy of that form when you get notice of any court hearing in the CARE Act process.

**11 What if I disagree with a court order?**

You have the right to ask a higher court to review a court order in the CARE process. This is called an *appeal*. Talk with your attorney if you think you want to appeal a court order. To get more information, read *Information on Appeal Procedures for Unlimited Civil Cases* (form [APP-001-INFO](#)).

**12 What is a "supporter"?**

You have the right to choose a person to support you throughout the CARE Act process. The CARE Act calls that person a *supporter*. The supporter helps you understand, communicate, make decisions, and express your preferences. You can choose to have your supporter with you at meetings, appointments, or court hearings.

**Your supporter must:**

- Respect your values and beliefs and support your preferences as well as they can.
- Communicate with you to help you understand and make informed decisions.

**Your supporter must not:**

- Act independently from you.
- Make decisions for you or on your behalf unless necessary to keep someone from immediately getting hurt.
- Sign documents for you.

**You have a right to have a supporter throughout the CARE Act process.**

**13 What if I don't speak English?**

You have the right to an interpreter at all CARE Act court hearings. Let your attorney know that you will need an interpreter for court hearings. When you go to court, tell the judge you need an interpreter if you or your attorney haven't already asked for one. You can also use *Request for Interpreter (Civil)* (form [INT-300](#)) or a local court form or website to request an interpreter. For more information about court interpreters, go to <https://selfhelp.courts.ca.gov/request-interpreter>.

**14 What if I have a disability?**

If you have a disability and need an accommodation while you are at court, you can use *Disability Accommodation Request* (form [MC-410](#)) to make your request.

You can also ask the Americans with Disabilities Act coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form [MC-410-INFO](#)) or go to <https://selfhelp.courts.ca.gov/jcc-form/MC-410-INFO>.

ATTORNEY OR PETITIONER WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:   STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY           <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CARE ACT PROCEEDINGS FOR (name):           RESPONDENT		
<b>PETITION TO BEGIN CARE ACT PROCEEDINGS</b>		CASE NUMBER:

For information on completing this form, see *Information for Petitioners—About the CARE Act* (form [CARE-050-INFO](#)), visit the CARE Act webpage on the self-help website at <https://selfhelp.courts.ca.gov/care-act>, or contact your local court's self-help center. To find the location and hours of the self-help center, click <https://selfhelp.courts.ca.gov/self-help/find-self-help>.

1. **I (enter your name here):**  
 am asking the court to find that (name of the person you want services for, who is called the respondent):  
  
 is eligible to participate in the CARE Act process. The respondent was born on (date of birth, if you know it): \_\_\_\_\_ or  
 I do not know the respondent's date of birth, but the respondent is (approximate age, in years): \_\_\_\_\_ years old.
  
2. **I am 18 years of age or older and (check all categories that apply to you):**

a. <input type="checkbox"/> A person who lives with the respondent. b. <input type="checkbox"/> A spouse or registered domestic partner, parent, sibling, child, or grandparent of the respondent. c. <input type="checkbox"/> A person authorized to act in place of the respondent's parent. d. <input type="checkbox"/> The director of the county behavioral health agency of this county.* e. <input type="checkbox"/> A licensed behavioral health professional who is or has been, within the past 30 days, treating or supervising the treatment of the respondent.* f. <input type="checkbox"/> The director of a hospital in which the respondent is hospitalized.* g. <input type="checkbox"/> The director of a public or charitable organization, agency, or home (1) <input type="checkbox"/> who is or has been, within the past 30 days, providing behavioral health services to the respondent;* or (2) <input type="checkbox"/> in whose institution the respondent resides.* h. <input type="checkbox"/> The respondent.	i. <input type="checkbox"/> A first responder—including a peace officer, firefighter, paramedic, emergency medical technician, mobile crisis response worker, or homeless outreach worker—who has had repeated interactions with the respondent. j. <input type="checkbox"/> The public guardian or public conservator of this county.* k. <input type="checkbox"/> A conservator or proposed conservator referred from a proceeding under Welfare and Institutions Code section 5350. l. <input type="checkbox"/> The director of adult protective services of this county.* m. <input type="checkbox"/> The director of a California Indian health services program or tribal behavioral health department that has, within the past 30 days, provided or is currently providing behavioral health services to the respondent.* n. <input type="checkbox"/> A California tribal court judge before whom the respondent has appeared within the past 30 days.*
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- \* If you are in a category above that is followed by \*, you may designate someone to file the petition on your behalf. If you have been designated to file a petition by a person in a category followed by \*, check that category and enter **your** name above.
  
3. **I have interacted with the respondent as follows (describe when (give the date) you last saw them, and what happened when you interacted with the respondent):**

If you need more space for your answer, please use a separate piece of paper and label it as Attachment 3.

CARE ACT PROCEEDINGS FOR <i>(name)</i> :	CASE NUMBER:
RESPONDENT	

4. a. The respondent lives or was last found at *(give the respondent's address if they have one and you know it, including a post office box where they get mail; otherwise, describe where the respondent lives, the last location where they were staying, or locations where they are frequently found)*:
- b. The respondent's other contact information is:  
*(telephone number, if any)*:                      The respondent  does  does not respond to text messages.  
*(email address, if any)*:
- c. I believe that the best ways to contact the respondent are *(check all that apply)*:
- (1)  by visiting them in person  
 (2)  by calling them on the phone  
 (3)  by sending them text messages  
 (4)  by sending them email  
 (5)  by sending them mail  
 (6)  other *(describe)*:
- d.  The respondent needs assistance  reading  hearing or understanding  speaking English.  
 The respondent's preferred language is *(specify language(s))*:
5. The respondent *(check a or b; if you check b, you must also check either (1) or (2))*:
- a.  Is a resident of the county in which this petition is filed.  
 b.  Is not a resident of the county in which this petition is filed.  
 The respondent's county of residence is *(if you know it)*:
- (1)  The respondent is located in the county in which this petition is filed.  
 (2)  The respondent is a defendant or respondent in a criminal or civil proceeding pending in the superior court of the county in which this is filed.
6. Evidence supporting this petition includes *(you must check and provide at least one of the following)*:
- a.  The declaration of a licensed behavioral health professional (form [CARE-101](#)), attached and labeled as Attachment 6a.  
 b.  A statement or documents showing that the respondent has been hospitalized two or more times for involuntary treatment and that the most recent involuntary hospital stay ended less than 60 days ago.
- Note:** As used in this form, "involuntary treatment" refers only to a 14-day hold authorized by Welfare and Institutions Code section 5250. It does **not** refer to treatment authorized by any other statutes, including but not limited to Welfare and Institutions Code sections 5150, 5260, 5270.15, and 5270.70.
- (If you checked 6b above, please check (1) and provide the information below, or check (2) and attach the documents, or do both.)*
- (1)  I know personally that the respondent was hospitalized for involuntary treatment. *(Describe what happened each time, and explain how you know about it.)*
- (2)  I have attached documents showing that the respondent was hospitalized two or more times for involuntary treatment and labeled the documents Attachment 6b1, 6b2, 6b3, etc. *(Include, for example, your own signed declaration (only if you have personal knowledge of the respondent's involuntary treatment), copies of certifications for intensive treatment, signed declarations by persons who witnessed the respondent's involuntary treatment, or other records.)*

CARE ACT PROCEEDINGS FOR (name):   RESPONDENT	CASE NUMBER:
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7. To the best of my knowledge, the respondent meets each of the requirements below:

Check here if all the information requested in items 7a through 7f is included in form CARE-101. If it is, you can skip the rest of this question, if you choose. Otherwise, explain below.

**Note:** Some details you enter in items 7a through 7f may overlap. If you notice you're repeating yourself, you can say that you already gave the information and mention where you said it before.

a. The respondent has a diagnosis of schizophrenia spectrum disorder or another psychotic disorder in the same class, as defined in the current *Diagnostic and Statistical Manual of Mental Disorders*. (Explain below):

b. The respondent is currently experiencing a serious mental disorder, as defined in Welfare and Institutions Code section 5600.3(b)(2), because the disorder:

- (1) Is severe in degree and persistent in duration;
- (2) May cause, or has caused, behavior that interferes substantially with the respondent's primary activities of daily living; **and**
- (3) May result, or has resulted, in the respondent's inability to maintain stable adjustment and independent functioning without treatment, support, and rehabilitation for a long or indefinite period.

(Describe the seriousness, length, and effects of the respondent's mental disorder below):

c. The respondent is not currently stabilized in ongoing voluntary treatment. (Describe the respondent's current condition and any ongoing treatment below):

d. At least one of the following is true (complete (1) or (2) or both):

- (1)  The respondent is unlikely to survive safely in the community without supervision **and** the respondent's condition is substantially deteriorating. (Explain why the respondent is unlikely to survive safely in the community, describe the type of supervision the respondent would need to survive safely, and describe how the respondent's physical or mental condition has recently grown worse):



CARE ACT PROCEEDINGS FOR (name):   RESPONDENT	CASE NUMBER:
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7. d. (2)  The respondent needs services and supports to prevent a relapse or deterioration that would be likely to lead to grave disability or serious harm to the respondent or others. (Describe the services and supports needed by the respondent, and explain why the respondent would become gravely disabled or present a risk of harm to self or others without them):

e. Participation in a CARE plan or CARE agreement would be the least restrictive alternative necessary to ensure the respondent's recovery and stability. (Explain why no other less restrictive treatment plan would work as well for the respondent):

f. The respondent is likely to benefit from participation in a CARE plan or CARE agreement because (explain below):

8. **OPTIONAL: Other information** (if applicable, check any of the following statements that are true, and give the requested information if you know it):

a.  The respondent needs interpreter services or an accommodation for a disability. (If you know, describe what they need):

b.  The respondent is served by a regional center. (If you know, give the center's name and the services it provides to them):

c.  The respondent is or was a member of the state or federal armed services or reserves. (If you know, give branch name):

d.  The respondent is an enrolled member of a federally recognized Indian tribe. (If you know, give the tribe's name and mailing address):

e.  The respondent is receiving services from a California Indian health services program, a California tribal behavioral health department, or a California tribal court. (If you know, give the name and mailing address of the program, department, or court):

CARE ACT PROCEEDINGS FOR (name):   RESPONDENT	CASE NUMBER:
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8. f.  The respondent is within a juvenile court's dependency, delinquency, or transition jurisdiction. (If you know, provide the following):
- (1) Court:
  - (2) Case number:
  - (3) The respondent's attorney in the juvenile court proceeding (name):  
(mailing address):  
(telephone number): (email address):
- g.  The respondent has a court-appointed conservator. (If you know, provide the following):
- (1) Court:
  - (2) Case number:
  - (3) The respondent's attorney in the conservatorship proceeding (name):  
(mailing address):  
(telephone number): (email address):

9. Court referral (complete this item only if it applies; if you don't know some of the requested information, leave that part blank):

- This petition is filed in response to a referral of the respondent from another court proceeding.
- a. Court, department, and judicial officer:
  - b. Case number:
  - c. Type of proceeding from which the respondent was referred (check one):
    - (1)  Mental competence proceeding arising from a criminal prosecution (Pen. Code, §§ 1370, 1370.01)
    - (2)  Assisted outpatient treatment (Welf. & Inst. Code, §§ 5346–5348)
    - (3)  Lanterman-Petris-Short Act conservatorship (Welf. & Inst. Code, §§ 5350–5372)
  - d.  The referral order is attached and labeled as Attachment 9 (optional).
  - e. The respondent's attorney in the referring proceeding (name):  
(mailing address):  
(telephone number): (email address):

10. Number of pages attached: \_\_\_\_\_

Date:

_____	▶	_____
(TYPE OR PRINT NAME OF ATTORNEY, IF ANY)		(SIGNATURE OF ATTORNEY, IF ANY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____	▶	_____
(TYPE OR PRINT NAME OF PETITIONER)		(SIGNATURE OF PETITIONER)

ATTORNEY OR PETITIONER WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:	<b>FOR COURT USE ONLY</b>  <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CARE ACT PROCEEDINGS FOR (name):		
RESPONDENT		CASE NUMBER:
<b>PETITION TO BEGIN CARE ACT PROCEEDINGS BY</b> <b>LICENSED BEHAVIORAL HEALTH PROFESSIONAL ONLY</b>		
<b>To the petitioner:</b> If you complete and file this form, you do not need to file <i>Petition to Begin CARE Act Proceedings</i> (form CARE-100) or <i>Mental Health Declaration—CARE Act Proceedings</i> (form CARE-101). (See Cal. Rules of Court, rule 7.2221(a), (b)(1).)		

1. **I (enter your name here):**  
 am 18 years of age or older and a licensed behavioral health professional who is or has been, within the past 30 days, treating or supervising the treatment of the respondent.  
 For the reasons described in this petition, including any attachments, I am asking the court to begin CARE Act proceedings for the respondent.
2. a.  I am a licensed behavioral health professional as defined by the CARE Act (Welf. and Inst. Code, § 5971(l) as a (check one):
  - (1)  physician.
  - (2)  psychologist.
  - (3)  clinical social worker.
  - (4)  marriage and family therapist.
  - (5)  professional clinical counselor.
- b. My license number is (if applicable):
3.  I have interacted with the respondent as follows (describe when (give the date) you last interacted with them, and what happened when you interacted with the respondent):
4. a. The respondent lives or was last found at (give the respondent's address if they have one and you know it, including a post office box where they get mail; otherwise, describe where the respondent lives, the last locations where they were staying, or locations where they are frequently found):
- b. The respondent's other contact information is:  
 (telephone number, if any): \_\_\_\_\_ The respondent  does  does not respond to text messages.  
 (email address, if any): \_\_\_\_\_
- c. I believe that the best ways to contact the respondent are (check all that apply):
  - (1)  by visiting them in person
  - (2)  by calling them on the phone
  - (3)  by sending them text messages
  - (4)  by sending them email
  - (5)  by sending them mail
  - (6)  other (describe): \_\_\_\_\_
- d.  The respondent needs assistance  reading  hearing or understanding  speaking English.  
 The respondent's preferred language is (specify language(s)): \_\_\_\_\_





# CONFIDENTIAL

CARE-102

CARE ACT PROCEEDINGS FOR (name):   RESPONDENT	CASE NUMBER:   
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10. d.  The respondent is an enrolled member of a federally recognized Indian tribe. (If you know, give the tribe's name and mailing address:
- e.  The respondent is receiving services from a California Indian health services program, a California tribal behavioral health department, or a California tribal court. (If you know, give the name and mailing address of the program, department, or court):
- f.  The respondent is within a juvenile court's dependency, delinquency, or transition jurisdiction. (If you know, provide the following):
- (1) Court:
  - (2) Case number:
  - (3) The respondent's attorney in the juvenile court proceeding (name):  
(mailing address):  
(telephone number): (email address):
- g.  The respondent has a court-appointed conservator. (If you know, provide the following):
- (1) Court:
  - (2) Case number:
  - (3) The respondent's attorney in the conservatorship proceeding (name):  
(mailing address):  
(telephone number): (email address):
11. **Court referral** (complete this item only if it applies; if you don't know some of the requested information, leave that part blank):
- This petition is filed in response to a referral of the respondent from another court proceeding.
- a. Court, department, and judicial officer:
  - b. Case number:
  - c. Type of proceeding from which the respondent was referred (check one):
    - (1)  Mental competence proceeding arising from a criminal prosecution (Pen. Code, §§ 1370, 1370.01)
    - (2)  Assisted outpatient treatment (Welf. & Inst. Code, §§ 5346–5348)
    - (3)  Lanterman-Petris-Short Act conservatorship (Welf. & Inst. Code, §§ 5350–5372)
  - d.  The referral order is attached and labeled as Attachment 11 (optional).
  - e. The respondent's attorney in the referring proceeding (name):  
(mailing address):  
(telephone number): (email address):

12. Number of pages attached: \_\_\_\_\_

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF ATTORNEY, IF ANY)



\_\_\_\_\_  
(SIGNATURE OF ATTORNEY, IF ANY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF PETITIONER)



\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;"><b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b></p>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CARE ACT PROCEEDINGS FOR (name): <p style="text-align: right;">RESPONDENT</p>	
<b>NOTICE OF HEARING OR CONTINUANCE</b>	CASE NUMBER:
<p><b>Note:</b> This form provides information about ongoing CARE Act proceedings. To protect the privacy and confidentiality rights of the respondent, it includes only basic information.</p> <p>A continuance means that the court had previously scheduled a hearing on a particular day but has rescheduled it to another day. This notice of hearing or continuance does not give you the right to attend the hearing. You may attend the hearing only if the court explicitly gives you permission to attend.</p>	

1. The court has  set a hearing on  continued a hearing to (date):  
 If continued, the continuance is for the following reason (do not disclose confidential medical information):

CLERK'S CERTIFICATE OF MAILING

I certify that:

- I am an employee of the Superior Court of California, County of (name): \_\_\_\_\_, and am not a party to this case.
- I mailed a true copy of this form following standard court practices by placing it in a sealed envelope with postage fully prepaid and addressed to the original petitioner in this case, who is a person identified in Welfare and Institutions Code section 5974(a) or (b), as follows:  
 (name): \_\_\_\_\_  
 (street address): \_\_\_\_\_  
 (city, state, and zip code): \_\_\_\_\_
- The mailing took place on (date): \_\_\_\_\_ at (city): \_\_\_\_\_, California.

[SEAL]

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

# CONFIDENTIAL

CARE-119

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER:  STATE:                      ZIP CODE: FAX NO.:	<b>FOR COURT USE ONLY</b>  <p style="text-align: center;"><b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b></p>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CARE ACT PROCEEDINGS FOR (name):  <p style="text-align: right;">RESPONDENT</p>		
<b>NOTICE OF DISMISSAL</b>		CASE NUMBER:

**Note:** This form provides information about ongoing CARE Act proceedings. To protect the privacy and confidentiality rights of the respondent, it includes only basic information.

A dismissal means that the court has closed the case. This can happen for a lot of reasons, including the court's finding that the respondent has voluntarily agreed to services, is ineligible for CARE proceedings, or no longer needs court supervision. The respondent may be receiving supports and services even after a dismissal. If the respondent's situation changes after this petition is dismissed, you may file a new petition with the court.

1. The court dismissed this case on (date): \_\_\_\_\_ because (give the statutory basis; do not disclose any confidential medical information): \_\_\_\_\_

## CLERK'S CERTIFICATE OF MAILING

I certify that:

- I am an employee of the Superior Court of California, County of (name): \_\_\_\_\_, and am not a party to this case.
- I mailed a true copy of this form following standard court practices by placing it in a sealed envelope with postage fully prepaid and addressed to the original petitioner in this case, who is a person identified in Welfare and Institutions Code section 5974(a) or (b), as follows:  
 (name): \_\_\_\_\_  
 (street address): \_\_\_\_\_  
 (city, state, and zip code): \_\_\_\_\_
- The mailing took place on (date): \_\_\_\_\_ at (city): \_\_\_\_\_, California.

[SEAL]

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy



Standard 7.20 of the California Standards of Judicial Administration is adopted, effective July 1, 2025, to read:

1                   **Title 7. Standards for Probate and Mental Health Proceedings**

2  
3                   **Standard 7.20. CARE Act proceedings**

4  
5                   **(a) Unique role of the CARE Act court judicial officer**

6  
7                   Judicial officers of CARE Act courts, in consultation with the presiding judge of  
8                   the superior court and to the extent that it does not interfere with the adjudication  
9                   process, are encouraged to:

- 10  
11                   (1) Exercise their authority under statute or rule to review, order, and enforce the  
12                   delivery of specific supports and services for respondents, including  
13                   prioritization for supports and services, where appropriate; and  
14  
15                   (2) Facilitate coordination of supports and services by using their authority to  
16                   join multiple local agencies when the agencies have appeared to fail to fulfill  
17                   their legal obligations to provide supports and services to the respondent.

18  
19                   **(b) Role of the CARE Act court**

20                   The CARE Act court should:

- 21  
22  
23                   (1) Convene relevant local public agencies and stakeholders, including  
24                   behavioral health and social service agencies, to coordinate the provision of  
25                   available services through CARE agreements and CARE plans that use the  
26                   least restrictive means to promote respondents' recovery, safety, and stability;  
27                   and  
28  
29                   (2) Work to accommodate the sharing of information among agencies within the  
30                   limits of the statutory framework.

**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
1.	California Health and Human Services Agency by Austin Dickman, Senior Policy Analyst	AM	<p>CARE-100</p> <ul style="list-style-type: none"> <li>• Q4a (respondent location): Suggest revising to add <i>“You can also describe multiple areas where they are frequently found.”</i></li> </ul> <hr/> <ul style="list-style-type: none"> <li>• Q6: Suggest revising to make proposed question 6b2 stand as 6b and proposed 6b1 stand as 6c (so there are three clear choices: CARE-101, attached evidence, and/or personal knowledge). Our proposed revision is as follows:                      6. Evidence supporting this petition includes (you must check and provide at least one of the following):                      a. The declaration of a licensed behavioral health professional (form CARE-101), attached and labeled as Attachment 6a.  <i>b. I have attached documents showing that the respondent has been hospitalized two or more times for involuntary treatment and that the most recent involuntary hospital stay ended less than 60 days ago, and labeled the documents Attachment 6b1, 6b2, 6b3, etc. (Include, for example, copies of certifications for intensive treatment, signed declarations by persons who witnessed the respondent's involuntary treatment, or other records.)</i>  <i>c. I know personally that the respondent has been hospitalized two or more times for involuntary treatment and that the most recent involuntary hospital stay ended less than 60 days ago. (Describe what happened each time and explain how you know about it.)</i>                      Note: As used in this form, “involuntary treatment” refers only to a 14-day hold authorized by Welfare and Institutions Code section 5250. It does not refer to treatment authorized by any other</li> </ul>	<p>The committee agrees with this comment and recommends revising the form in a similar manner. The committee recommends revising Item 4(a) of form CARE-100 to include the phrase “or locations where they are frequently found.” Further, a conforming change has been recommended for item 4(a) of form CARE-102 to maintain consistency between the forms.</p> <hr/> <p>The committee appreciates this proposed revision but does not recommend modifying the proposal in this manner. The committee recommends, alternatively, to revise the italicized directions below 6(b) to include the phrase “If you checked 6(b) above, please...” in order to clearly communicate to the petitioner that their options are to check one of the following four options: (1) 6(a), (2) 6(b)(1), (3) 6(b)(2), or (4) both 6(b)(1) and 6(b)(2).</p> <p>The committee acknowledges the comment’s goal in making it clearer that there are multiple options to meet 6(b) and recognizes that clarity for the petitioner or reader of the form is critical. The committee notes, however, that the statute creates two choices for the petitioner, not three, as would be implied by the proposed language. One option is to provide a declaration from a licensed mental health provider, and one is to</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

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			<p>statutes, including but not limited to Welfare and Institutions Code sections 5150, 5260, 5270.15, and 5270.70. (You may check (1) and provide the information below, or check (2) and attach the documents, or do both.)</p> <ul style="list-style-type: none"> <li>• Q7b: Suggest revising to place the WIC citation last, or omit it entirely so it is easier for petitioners to understand:               <ul style="list-style-type: none"> <li>○ <i>The respondent is currently experiencing a serious mental disorder because the disorder has the following characteristics (as defined in Welfare and Institutions Code section 5600.3(b)(2)):</i></li> </ul> </li> </ul>	<p>provide evidence of two detentions for involuntary treatment. Further, as currently constructed, the note defining “involuntary treatment” directly follows item 6(b). This suggested revision would result in options 6(b) and 6(c) both contemplating “involuntary treatment,” but the note defining and explaining the term would appear only under option 6(c). The committee is concerned that the suggested revision would increase the risk that the petitioner mistakenly thinks that the note only applies to 6(c) and not to 6(b) because it is not directly under 6(b), or that the petitioner does not see the note altogether.</p> <p>The committee does not recommend modifying the proposal in response to this suggestion. The committee agrees that making forms easier for the petitioner to understand is important. However, the committee has to balance simplicity for the petitioner with critical legal distinctions. Omitting the statutory citation to the definition of “serious mental disorder” may confuse the petitioner as to why these criteria are being used. The form must be clear that having “a serious mental disorder” is defined by the statute and means something other than the plain language of the phrase.</p>

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**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

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			<ul style="list-style-type: none"> <li>• Q7e/f: Recognizing that these are separate criteria in statute, for most petitioners, we have heard that these two questions are heavily duplicative and that 7f is effectively redundant since that is the entire basis for filing a petition. We suggest combining them as follows:                             <ul style="list-style-type: none"> <li>○ <i>Participation in a CARE plan or CARE agreement would be the least restrictive alternative necessary to ensure the respondent's recovery and stability and would benefit the respondent. (Explain why no other less restrictive treatment plan would work as well for the respondent and how a CARE plan or agreement would benefit them)</i></li> </ul> </li> </ul>	<p>Further, the committee does not recommend placing the citation last. The committee believes that placing the citation last would be more confusing to the petitioner, and that the current phrasing uses the most effective and easiest to understand language.</p> <p>The committee does not recommend modifying the proposal in response to this comment. The committee acknowledges that petitioners are reporting that these two questions are duplicative, and the committee wants to avoid requiring redundancy. However, the committee must balance the risk of redundancy with confusing the petitioner. Previous user testing sessions conducted by Judicial Council staff showed that petitioners are more likely to be confused and fail to sufficiently respond to a question if it is a compound question. The compound nature of this proposed revision requires a higher reading level than the current language and increases the risk of reader confusion.</p> <p>Further, while there may be some overlap between facts supporting why the CARE plan or CARE agreement would be the least restrictive alternative necessary and why the respondent is likely to benefit from participation in a CARE plan or CARE agreement, there are still critical facts that</p>

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W25-11

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				<p>could apply to one question and not the other. For example, a petitioner could read the proposed revision language and focus only on how a CARE plan or CARE agreement would benefit the respondent. Responding only to this part of the question would omit information related to the CARE plan or CARE agreement being the least restrictive means necessary and would result in a deficient petition. The court must make separate findings regarding each fact, so if the petitioner wants to make the best case possible in the petition, it would be clearer and more effective to have the items presented separately.</p> <p>Finally, the potential for overlap between subsections of item 7 exists across other subsections as well (e.g. 7b and 7f), but which subsections might overlap depends on an individual case. The committee believes that the instruction that the petitioner can explain where they have covered the information before is sufficient.</p>
			<ul style="list-style-type: none"> <li>• Q8: To ensure petitioners understand that the ensuing information is optional, suggest retitling the question to clarify this:               <ul style="list-style-type: none"> <li>○ <i>OPTIONAL Other Information (if applicable, check any of the following statements that is true, and give the requested information if you know it):</i></li> </ul> </li> </ul>	<p>The committee agrees with this comment and recommends revising form CARE-100 accordingly.</p>

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**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

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			<ul style="list-style-type: none"> <li>We suggest making conforming revisions to other related forms, such as the CARE-102 and the CARE-050.</li> </ul>	<p>The committee recommends making conforming revisions to form CARE-102 and form CARE-050-INFO.</p>
			<p>CARE-102</p> <ul style="list-style-type: none"> <li>We suggest making conforming revisions with the suggestions above for the CARE-100 form.</li> </ul>	<p>The committee recommends making conforming revisions to form CARE-102.</p>
			<ul style="list-style-type: none"> <li>Q8: Suggest revising to replace “the allegations” to “this petition” to match the tone of the rest of the form. <i>Facts and opinions supporting <del>the allegations</del> <u>this petition</u> that the respondent meets each of the clinical criteria in Welfare and Institutions Code section 5972 are provided (check one):</i></li> </ul>	<p>The committee recommends revising item 8 on form CARE-102 in a similar manner. The committee believes that replacing “the allegations” with “my opinion” best matches the tone of the rest of the form.</p>
			<p>CARE-050</p> <ul style="list-style-type: none"> <li>Page 1 of 7, Item 3: We support ensuring that petitioners know they can also contact local behavioral health agencies, we think it is important to clarify that doing so in no way obligates the agency to investigate or file a petition. Our proposed revision is as follows:               <ul style="list-style-type: none"> <li>3. Have you thought about ways to help other than CARE Act proceedings? [. . .] Also, you can contact your local behavioral health agency to refer someone to CARE Act proceedings without filing a petition. The agency can investigate and may decide to file a petition themselves, <u>but is not required to investigate or petition. If you have previously contacted your local behavioral health agency to refer someone to CARE Act proceedings, you can still file a petition yourself.</u></li> </ul> </li> </ul>	<p>The committee appreciates this comment and recommends revising form CARE-050-INFO in a similar manner. The committee believes that the most concise way to communicate this principle is to revise the sentence to read as follows: “The agency can investigate and may decide to file a petition itself, but it is not required to do so.”</p> <p>The committee does not recommend including the last sentence notifying the petitioner that they can still file a petition themselves. While this statement is true, Section 3 of form CARE-050-INFO aims to provide information about ways to help other than CARE Act proceedings. Therefore, this</p>

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			<p>CARE-119</p> <ul style="list-style-type: none"> <li>• We suggest adding to the Note to indicate for the petitioner that if circumstances change and/or additional information becomes available, they can petition again.                             <ul style="list-style-type: none"> <li>○ <i>You may file a new petition with the court if there is a change in circumstances and/or additional information becomes available.</i></li> </ul> </li> </ul>	<p>information is not appropriate to include in this section. Also, the statement implies that having previously contacted the local behavioral health agency is relevant to whether the person can file, which is inaccurate.</p> <p>The committee recommends revising form CARE-119 in a similar manner. In order to maintain consistency with corresponding language in form CARE-050-INFO, the note has been revised to include the following sentence:                      “If the respondent’s situation changes after this petition is dismissed, you may file a new petition with the court.”</p>
2.	California Department of Health Care Services by Ashley Love, Chief	NI	<p>*Commenter submitted comments directly on the forms that circulated for comment using the Microsoft Word comment feature.</p> <p>Please consider deleting the word 'serious' as all schizophrenia</p> <p>*This comment was made on Page 14 in reference to the following section of text on CARE-050-INFO, Section 1, which read as follows:</p> <p>The CARE Act allows a person in one or more of 14 categories (see page 2) to file a petition asking a court to start proceedings intended to get help for an adult who has a serious schizophrenia spectrum disorder or another psychotic disorder and meets several other requirements.</p>	<p>The committee appreciates and agrees with this comment and recommends removing “serious” from Section 1 of form CARE-050-INFO.</p>

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W25-11

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			<p>Please consider rephrasing the last sentence to read, 'The person who you think needs help is called the respondent.'</p> <p>*This comment was made on Page 14 in reference to the following section of text on CARE-050-INFO, Section 1, which read as follows:</p> <p>The person who asks the court to start the proceedings is called the petitioner. This form assumes that you are thinking about whether to file a petition and become a petitioner. The person who needs help is called the <i>respondent</i>.</p>	<p>The committee agrees with this comment and recommends revising form CARE-050-INFO accordingly.</p>
			<p>Please consider incorporating a description of the 102 form here.</p> <p>*This comment was made on Page 16 of the Proposal Document, and on Page 3 of the form CARE-050-INFO. This comment was made on Item 6a, which read as follows:</p> <p>a. A completed declaration by a licensed behavioral health professional on Mental Health Declaration-CARE Act Proceedings (form CARE-101); OR</p>	<p>The committee does not recommend modifying the proposal in response. The committee must balance the usefulness of additional information with simplicity for the petitioner in what is already a thorough information sheet. The form CARE-050-INFO is intended to help a petitioner fill out form CARE-100, not form CARE-102. Further, item 6 informs the petitioner what supporting evidence a petitioner filling out form CARE-100 would need to provide in their petition. Including information about form CARE-102 here may confuse the reader and result in some non-licensed behavioral health professionals attempting to file form CARE-102.</p>

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			<p>Please consider adjusting this language (and in future occurrences) to read, “Is currently located in the county that this petition is filed.” and “Is a defendant or respondent in a criminal or civil proceeding pending in the superior court in the county that this petition is filed.”</p> <p>*This comment was made on Page 26 of the Proposal Document, and on Page 2 of the form CARE-100. This comment was made on Item 5(b)(1) and Item 5(b)(2), which read as follows:</p> <p>The respondent’s county of residence is (<i>if you know it</i>):                      (1) Is currently located in this county.                      (2) Is a defendant or respondent in a criminal or civil proceeding pending in the superior court of this county.</p>	<p>The committee agrees with this comment and recommends revising item 5 of form CARE-100 accordingly.</p>
			<p>Please consider the following language instead:                      2 a. ___ I am a licensed behavioral health professional as defined by the CARE Act, which includes professionals who are acquiring experience for licensure or who are from out of state with sufficient experience to gain admission to a licensing exam (WIC 5971 (k) and 5751.2) as a (check one)                          ___ physician                          ___ psychologist                          ___ clinical social worker                          ___ marriage and family therapist                          ___ professional clinical counselor                      b. My license number is (if applicable):</p> <p>*This comment was made on Page 30 of the Proposal Document, and on Page 1 of the form CARE-102. This comment was made in reference to Item 2(a), which read as follows:</p>	<p>The committee agrees with this comment and recommends revising item 2(a) on form CARE-102 in a similar manner. The committee has revised item 2(a) to directly reflect the appropriate statutory language and corresponding citation. Accordingly, the language in 2a preceding 2(a)(1)–(5) has been modified to read as follows:                      “I am a licensed behavioral health professional as defined by the CARE Act (Welf. &amp; Inst. section 5971(l)) as a (check one)”</p>

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			<p>2. a. ( ) I hold a current valid California license as a (check one):</p> <p>(1) physician.</p> <p>(2) psychologist.</p> <p>(3) clinical social worker.</p> <p>(4) marriage and family therapist.</p> <p>(5) professional clinical counselor.</p>	
3.	<p>County Behavioral Health Directors Association</p> <p>By Diana Luna, Deputy Director of Budget Advocacy</p>	NI	<p>*Commenter submitted comments directly on the forms that circulated for comment using the Adobe PDF comment feature.</p> <p>CBHDA recommends adding the below to clarify reference to “the parties” for public understanding.</p> <p>*This comment was made on Page 26 of the Proposal Document, on Item 2 of form CARE-050-INFO. The recommended language, which changes in red text, is as follows:</p> <p>A CARE plan or CARE agreement may be amended if the parties (i.e., the respondent and/or petitioner) agree to amend the CARE plan or agreement. The court may also approve amendments to a CARE plan without the parties’ agreement if the court holds a hearing and finds that the amendments are needed to support the respondent in getting the help they need.</p>	<p>The committee agrees with this comment and recommends revising item 2 of form CARE-050-INFO in a similar manner. The “parties” who can agree to amend a CARE plan or CARE agreement are the respondent and the county behavioral health agency because by that point in the process the county behavioral health agency will have replaced the original petitioner, if applicable. Accordingly, “parties” has been replaced with “respondent and the county” to lessen the confusion with the ability of the original petitioner to agree or not to future amendments.</p>
			<p>CBHDA recommends including instructions to clarify whether responses to Q9 is a “check one” or a “check all that apply.”</p> <p>*This comment was made on Page 31 of the Proposal Document, and on Page 2 of the form CARE-102 to Item 9.</p>	<p>The committee appreciates this comment but does not recommend modifying the proposal in response. Items 9a through 9f allow the petitioner to provide facts and opinions supporting their opinion that the respondent meets each of the clinical criteria in Welfare</p>

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W25-11

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				<p>and Institutions Code section 5972. If the petitioner checks the box in item 8(a), they must complete all parts of 9a through 9f. The petitioner must demonstrate that the respondent meets each of the criteria in order to be eligible for CARE Act proceedings. Therefore, items 9a through 9f are not optional and a “check one” or “check all that apply” would be inappropriate.</p> <p>The committee recognizes that item 9 could be clearer regarding its purpose. To that end, the committee recommends revising item 9 of form CARE-102 to include a statement that it is the petitioner’s professional opinion that the respondent meets each of the requirements in items 9a to 9f.</p>
4.	Hon. Michael J. Jurkovich Superior Court of Madera	NI	<p>Title 7. Standards for Probate and Mental Health Proceedings Standard 7.20. CARE Act Proceedings (a) Unique role of the CARE Act court judicial officer</p> <p>Judicial officers of CARE Act courts, in consultation with the presiding judge of the superior court and to the extent that it <b>does not interfere with the adjudication process</b>, are <b>encouraged to:</b></p> <p>(1) Monitor what specific supports and services are available in the local community for inclusion in CARE agreements and CARE plans;</p> <p><b>(2) Exercise their authority under statute or rule to review, order, and enforce the delivery of specific supports and services for</b></p>	<p>The committee appreciates this comment but does not recommend modifying the proposal in response. The adoption of standard 7.20 would comply with the mandate in SB 42 to add “the role of the judiciary to improve system performance” to the list of topics for which the Judicial Council must establish rules and policies. Additionally, SB 42 added language to section 5977.4(a) that requires the court and relevant local public agency to “cooperate to develop a comprehensive set of objectives established to improve performance of the CARE system in a vigorous and ongoing manner,” and</p>

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			<p>respondents, including prioritization for supports and services, where appropriate; and</p> <p>(3) Facilitate coordination of supports and services by using their authority to join multiple local agencies when it appears that the agencies have failed to fulfill their legal obligations to provide supports and services to the respondent.</p> <p>(b) Role of the CARE Act court</p> <p>The CARE Act court should:</p> <p>(1) Educate the community concerning the role of the CARE Act court in providing services and support for eligible adults;</p> <p>(2) Convene local behavioral health and social service agencies to coordinate the provision of available services through CARE agreements and CARE plans that use the least restrictive means to promote respondents' recovery, safety, and stability; and</p> <p>(3) Work to accommodate the sharing of information among agencies within the 36 limits of the statutory framework.</p> <p>I am concerned the yellow text above, when read in conjunction with the entire text, may place judicial officers in conflict with several judicial canons, which guide our daily life.</p> <p>In particular, Canons 1, 2, 3 and 4 (integrity, independence, avoid the appearance of impropriety, conflict with judicial obligations, and actions inconsistent with impartiality).</p>	<p>authorized CARE Act courts to “coordinate and participate in meetings to improve system performance.”</p> <p>Standard 7.20 is drafted to provide nonbinding guidelines related to the CARE Act and is not intended to violate the Code of Judicial Ethics or conflict with a judge’s obligations. The committee understands the need for judicial officers to act within judicial canons for ethics, and further understands that judicial officers have the discretion to choose whether to follow standards.</p>

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			<p>Referring to the yellowed text above:</p> <p>1. What does it mean when judicial officers are “encouraged to” do something, or “should” do something? See 7.20(a)(b). I understand “must”, “shall”, and “may”, but do not know what being “encouraged” means. How do I respond to something I “should” do. If I don’t do these things, will I be called before the Commission on Judicial Performance (“CJP”)? Also, what is the statutory authority for this language? While I see the court is authorized to do certain things (WIC 5944.4), I don’t see any legislative language from which “encouraged to” or “should” flow. I think these prefaces are problematic.</p>	<p>The committee does not recommend modifying the proposal in response. The verb “should” comes directly from Cal. Rules of Court, rule 1.5, which prescribes the construction of rules and standards. “Should” expresses a preference or a nonbinding recommendation. (See Cal. Rules of Court, rule 1.5(b)(5).) The use of “should” in standard 7.20 indicates the general nonbinding nature of standards, as opposed to the binding nature of rules. (See Cal. Rules of Court, rule 1.5(c).)</p> <p>The verb form “encouraged to” is used interchangeably with “should” and has the same nonbinding effect of a guideline or goal. “Encouraged to” is used in other California Standards of Judicial Administration such as standard 5.30(f) and standard 5.40(e).</p>
			<p>2. Similarly, what does “to the extent that it does not interfere with the adjudication process” mean? See 7.20(a). To me, all of the above hi lit text interferes with the adjudication process if it compromises our independence, integrity, creates the appearance of impropriety, conflicts with a judge’s obligations, or appears to be inconsistent with impartiality.</p>	<p>The committee does not recommend modifying the proposal in response. Standard 7.20 is intended to establish guidelines that are consistent with the relevant statutory requirements. As with all other standards, the intent is not to compromise any obligations or independence but to create nonbinding guidelines or goals. (See Cal. Rules of Court, rule 1.5(c).) The referenced clause is used elsewhere in the Standards of Judicial Administration (see standard 5.30(f)) to</p>

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				<p>establish guidelines specific to a unique court such as the CARE Act proceedings court.</p> <p>As described above, the committee understands that judicial officers will exercise their discretion in following nonbinding standards.</p>
			<p>3. As for: “Exercise their authority under statute or rule to review, order, and enforce the delivery of specific supports and services for respondents, including prioritization for supports and services, where appropriate;”, what is the authority for this proposed rule? The CARE Act created the CARE Court, which is designed to operate in an “informal nonadversarial atmosphere” See WIC 5977.4(a), From my review, there is no authority in the Act which would permit judicial officers to “enforce” delivery of anything. Even the authorization of a medication order, is not really an order vis a vis the respondent, as there is no “penalty” for noncompliance. See WIC 5979(a)(5). If the “authority” is found in WIC 5979(b)(2)(B), that authority is limited to the imposition of a fine.</p>	<p>The committee does not recommend modifying the proposal in response. In addition to the authority found in Welfare and Institutions Code section 5979(b), section 5977.1(d) generally provides the court authority to make orders related to elements of a CARE agreement or CARE plan. Specifically, 5977.1(d)(2) gives the court the authority to “adopt the elements of a CARE plan that support the recovery and stability of the respondent” and allows the court to “issue any orders necessary to support the respondent in accessing appropriate services and supports, including prioritizations of those services and supports.” This section provides the statutory basis for the language in Standard 7.20(a)(1) (formerly subdivision (a)(2) in the version circulated for comment) regarding the delivery of services and supports.</p> <p>Further, section 5977.4(d)(3) provides the authority to order medication under certain circumstances and section 5977.4(d)(4)</p>

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W25-11

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			<p>4. As for: “Facilitate coordination of supports and services by using their authority to join multiple local agencies when it appears that the agencies have failed to fulfill their legal obligations to provide supports and services to the respondent”, are you really suggesting judicial officers “join multiple agencies” if the agencies have not “fulfill[ed] their legal obligations? How does this not compromise the independence of the judiciary (canon 1), avoid the appearance of impropriety (canon 2), not cast doubt on the “impartiality” of the judicial officer (canon 3), risk conflicting with the judge’s “judicial obligations” (one can not serve two masters)? If you mean “enjoin”, see paragraph 3, above.</p>	<p>allows the court to consider a motion to add a local entity as a party to the CARE proceeding to facilitate the inclusion of supports or services. Notwithstanding the above, the court maintains its general ability to enforce court orders.</p> <p>Finally, the committee notes that the referenced mandate to conduct proceedings “in an informal nonadversarial atmosphere” found in Section 5977.4(a) applies only when there is no contested issue of fact or law.” This language does not limit the court’s ability to enforce orders.</p> <p>The committee does not recommend modifying the proposal in response. The usage of “join multiple other agencies” in standard 7.20(a)(2) (formerly subdivision (a)(3) in the version circulated for comment) flows directly from section 5977.1(d)(4) and the joinder procedure is established in rule 7.2240. Section 5977.1(d)(4) permits joinder by allowing the court to consider a motion to add a local entity as a party to the CARE proceeding to facilitate the inclusion of supports or services. Rule 7.2240 prescribes the procedure for joinder of a local government entity under section 5977.1(d)(4).</p>

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			<p>5. As for: “Convene local behavioral health and social service agencies to coordinate the provision of available services through CARE agreements and CARE plans that use the least restrictive means to promote respondents’ recovery, safety, and stability”, what is the legislative basis for this proposed rule? WIC 5977.4 states “The court is authorized to coordinate and participate in meetings to improve system performance.” This does not say the court is authorized to “convene” Behavioral Health and Social Services agencies and “coordinate” provision of services using the</p>	<p>Further, the language in subdivision (a)(2) (formerly subdivision (a)(3) in the version circulated for comment) also flows from Welfare and Institutions Code section 5979(b)(1) which requires the court to report a finding that the county or other local government entity is not complying with court orders to the presiding judge of the superior court or their designee. Section 5979(b)(2)(A) requires the presiding judge or their designee to issue an order to show cause why the local government entity should not be fined. The CARE Act statutes do not allow a court to sanction an agency without making a finding that the agency has failed to meet a legal obligation and offering the agency to be respond and argue that it either has no obligation or has fulfilled the relevant obligation. If the court were to follow these procedures outlined in section 5979(b), then the judicial officer should not be in conflict with any ethical obligations.</p> <p>The committee agrees with this comment to the extent that some may view standard 7.20(b)(1) (formerly subdivision (b)(2) in the version circulated for comment) as unfairly including certain agencies and not others. To avoid any inference that the standard encourages a judicial officer to convene with certain agencies and not others, the committee recommends that standard</p>

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			<p>least restrictive means to “promote respondents’ recovery, safety, and stability”... When did judicial officers become advocates for the respondents? We are not advocates. This section, perhaps more than others, runs afoul of most of the judicial canons by compromising our impartiality and integrity. The public (counsel) will view the court’s involvement here as picking sides (just “convening” behavioral health/social service agencies- to the exclusion of others, such as public defenders). The proposed language goes well beyond the legislative mandate.</p>	<p>7.20(b)(2) be renumbered and revised to state that judicial officers should convene “relevant local public agencies and stakeholders, including behavioral health and social service agencies,” rather than just naming behavioral health and social service agencies.</p> <p>The committee notes that subdivision (b)(2) is not intended to imply that judicial officers become advocates for respondents. Instead, subdivision (b)(2) uses statutory language as the basis for creating a goal which promotes the respondents’ wellbeing. Subdivision (b)(1) takes language directly from section 5977.1(d)(2), which requires that courts “adopt the elements of a CARE plan that support the recovery and stability of the respondent.” Further, Section 5977.4(a) requires that the judicial officer “control the proceedings during the hearings with a view to the expeditious and effective ascertainment of the jurisdictional facts and the ascertainment of all information relative to the present condition and future welfare of the respondent.” This subdivision draws from these statutes to create a goal of ordering CARE agreements and CARE plans that promote the overall wellbeing and welfare of the respondent.</p>

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			<p>6. As for: “Educate the community concerning the role of the CARE Act court in providing services and support for eligible adults”...this is nothing more than code for getting the word out to the community to get them to file Petitions for their loved ones. This is NOT the same as teaching a class of university students about the CARE Act/court. What is clearly contemplated here is to solicit participation – this is advocacy by judges. This proposed rule will be viewed by many (including attorneys) as compromising judicial integrity if we are to go out into the community and be perceived as encouraging participating in this legislatively created process. This perception alone subjects judicial officers to investigation by the CJP for violating the above Canons requiring we be unbiased and independent.</p> <p>Somewhere along the line, it has been forgotten that notwithstanding its legislative genesis, the CARE Act, from which the CARE Court flows, is still conducted before sworn judges, who are bound by oath to follow the judicial canons (and, if we don’t, risk sanction by the Commission on Judicial Performance, notwithstanding our altruistic motivations). These proposed rules, if followed, risk scores of judges being sanctioned if the rules are followed (as I believe following them may well be a violation of many canons) or if they are not followed (drawing a sanction of failing to follow a court rule). This body was tasked with promulgating rules regarding the “role of the judiciary to improve system performance”. See WIC 5977.4(a). Much of what concerns me (in yellow, above) does not flow from this legislative mandate, nor any mandate I could find.</p> <p>Additionally, we must recall that all judicial officers must wait until a problem comes to us. We may not go in search of a</p>	<p>The committee agrees with this comment and recommends removing proposed standard 7.20(b)(1), as circulated for comment.</p>

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			<p>problem so that we may offer a solution. This is why we do not offer advisory opinions. It is improper to “adjudicate the merits of a case not pending before us”. See <i>In re Marriage of Goddard</i> (2004) 33 Cal.4th 49, 57, fn. 4. Asking judicial officers to go out into the community and “educate” the community concerning the “role of the CARE Act” risks the judge offering opinions about the Act and how a case might go – to where impartiality may easily be questioned.</p> <p>It seems to be lost on many that the CARE Act is not beloved by all, and has been challenged by many. The CARE Act has been modified since the early challenges (hence these proposed rules) and, I expect, will be challenged again. As judicial officers, if we were to comply with the proposed rules hi-lit above, it is most assured our integrity/neutralty will be challenged by contesting litigants if their action lands on our docket. Madera County is a small county. We only have two civil departments and I sit in one. I have a 50/50 chance of any CARE Act challenge landing on my docket. Why would I want to increase the chance of a disqualification challenge and risk the possibility my colleague will have to handle a case otherwise assigned to me? We are busy enough. I do not want to add to his or her workload- where I could have avoided the issue.</p> <p>In closing: I have been a trial court judge for 12 years now. I have never before responded to an invitation to comment on a proposed rule. That should mean something. I ask the committee to take another look at the proposed rules in light of my comments, and make revisions accordingly.</p>	<p>No response is required.</p>
5.	Orange County Bar Association	A	The CARE Act proposal is intended to improve efficiency and make the forms easier for users.	The committee appreciates this comment but does not recommend modifying the proposal

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	by Mei Tsang, President		<p><b><u>Does the proposal appropriately address the stated purpose?</u></b></p> <p>The amendments to the rules of court are all based on new legislation. The amendments to the rules of court could be seen as problematic due to gaps and conflicts in the existing legislation. For example the amendment to rule 7.2210 which is based on SB42 directs the CARE court to communicate with a court with “related proceedings,” which we anticipate will improve efficiency, however at the expense of the patient’s self-determination in the CARE court proceedings by eliminating a limitation on the CARE court’s communication with other courts without a waiver from the respondent. Also, insofar as there will be an exchange of information between the CARE court and a juvenile court, there is no reference to 827 confidentiality. WIC 5978.2 may create an 827 “carve out”.</p>	<p>in response. The committee agrees that there are ambiguities in the statutes, but these cannot be resolved through the rules as the committee cannot opine as to whether the legislature intended to create a “carve out.” The committee notes that concerns regarding statutory ambiguities are appropriately addressed to the Legislature or the appellate courts.</p>
			<p>The amendment to rule 7.2221 and the adoption of CARE-102 will assist county behavioral health as the number of petitions being filed by the county agency increases. There is no concern with this.</p>	<p>No response is required.</p>
			<p>The amendment to rule 7.2235 which clarifies the type of notice of hearings the respondent is to receive will help with efficiency particularly for individuals who do not prefer personal service. Respondent notice was a topic of discussion because of a handful of tense situations between the individual trying to effectuate personal service and the respondent and the onerousness of effectuating personal service on a population that is often unhoused. The patient must receive notice of every hearing and that typically requires personal service. That the respondent gets</p>	<p>No response is required.</p>

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			<p>to choose between personal service and some other form of service supports the patient’s self-determination in the court proceedings.</p> <p><b><u>Do the proposed forms regarding ongoing notice to original petitioners (forms CARE-118 and CARE-119) allow the court to provide sufficient notice without disclosing confidential medical information?</u></b></p> <p>Assuming the CARE court who is using this form does not indicate confidential medical information in the narrative section, these forms should be able to provide sufficient notice to the original petitioner without disclosing confidential medical information.</p> <p>The proposed changes to CARE rules and forms are all stated to be effective July 1, 2025 whereas the legislation at SB42 (stats. 2024, Ch. 640) states that it is emergency legislation effective January 1, 2025. Only the change to Wel. &amp; Inst. Code 5977 (b)(6)(B)(ii) is effective on July 1, 2025 regarding the Court’s duty to provide notice of continuances and dismissals to the participants. Therefore only the proposed CARE Form-118 and the CARE Form-119 are correctly identified as being effective July 1, 2025. Clarification should be given to all other rules, forms, and standards for judicial administration as to their immediate effectiveness.</p>	<p>The committee does not recommend modifying the proposal in response. Although SB 42 was enacted as emergency legislation effective January 1, 2025, the effective dates of the rules, forms, and standard follow the Judicial Council’s general practice for proposals taking effect either January 1 or July 1. Proposals for new or amended rules, forms, and standards of judicial administration are circulated for public comment and follow the procedures found in California Rules of Court, rules 10.20–10.22. Since SB 42 was signed into law September 27, 2024, there was insufficient time for the required committee review, public comment, and Judicial Council adoption to occur in time for the rules and forms to take effect January 1, 2025.</p> <p>July 1, 2025, is the earliest effective date that allows for review of the proposal and incorporation of recommended changes. The effective date of the rules, forms, and standard does not change the effective date of the statute.</p>

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6.	<p>Rural County Representatives of California by Sarah Dukett, Policy Advocate</p> <p>California State Association of Counties by Jolie Onodera, Legislative Advocate</p> <p>Urban Counties of California by Kelly Brooks Lindsay, Legislative Advocate</p>	NI	<p>Overall, the proposed rules and forms are well-suited to implement the CARE Act legislation enacted during the 2023-24 legislative session – with one significant exception. The Advisory Committee’s “determin[ation] that it would be in the best interest of respondents, as well as the success and effectiveness of the CARE Act as a whole, to maintain the current personal service requirement” fails to properly balance the undisputed need to effectively notify and engage respondents with the equally indisputable reality that requiring personal service of all papers in CARE proceedings is often a major cause of delay and inefficiency in CARE proceedings. The repeated continuances and extensions caused by difficulties in effecting personal service experienced in many cases are among the reasons that “fewer respondents have received CARE agreements or plans than anticipated,”*[the comment included a footnote here, which states as follows: Sen. Jud. Comm., analysis of Sen. Bill. No. 42 (2023-2024 Reg. Sess.) as amended Aug. 22, 2024]* and that the CARE Act is not yet producing the results anticipated by the Legislature and Governor.</p> <p>Moreover, repeated personal service of legal papers does <i>not</i> “build an ongoing communicative relationship between the court, the county, and the respondent.” Quite the contrary, county behavioral health professionals responsible for treating the CARE population report that constantly interjecting the intimidating formality of personal service into what is supposed to be a therapeutic process actually hinders that process and degrades trust and open communication.</p> <p>Allowing the respondent to waive personal service does not fully address either of these concerns. With due respect to the Advisory</p>	<p>The committee appreciates this comment but does not recommend modifying the proposal in response.</p> <p>The committee must balance the burdens and costs of a rule with ensuring actual notice to the respondent, without which the CARE process would not function. The committee appreciates that requiring personal service of notice of all hearings in CARE Act proceedings certainly increases financial costs and may even cause delays in certain proceedings. As the comment notes, there may also be instances where personal service “hinders the process” and “degrades trust and open communication.” However, these inefficiencies and potential frustrations are outweighed by the significant interest in ensuring the respondent receives actual notice. The committee believes that setting a minimum standard for personal service is the most effective method to safeguard the rights of all respondents, some of whom unquestionably require personal service in order to receive actual notice. Modifying the rule to allow for other forms of process as the default opens the door to inadequate notice. Personal service is a necessary expense to help create a process as uniquely collaborative as the CARE Act proceedings.</p>

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			<p>Committee, there is a better, middle- ground approach that both protects the respondent's rights and grants the court flexibility to manage the proceedings to best achieve the CARE Act’s goals based upon the circumstances of each case. Counties’ alternative proposal is attached in red-line format, and consists of the following elements:</p> <ul style="list-style-type: none"> <li>• Retain the personal service requirement for the “Notice of order for report to augment petition” and “Notice of initial appearance.” Counties concur with the Advisory Committee that personal service is generally appropriate “before the first court appearance.”</li> <li>• For subsequent hearings, empower the Superior Court to determine whether personal service is necessary, effective, and feasible based on the individual circumstances of each case. Such consideration could include all of the factors noted by the Advisory Committee (e.g., the respondent's ability to receive service through other means), and also the countervailing concerns set forth above.</li> <li>• Allow notices of continued hearings (i.e., when the respondent has already received an initial notification) to be provided by means other than personal service.</li> </ul> <p>Thank you for your consideration of our comments. If you have any questions, please do not hesitate to contact our organizations.</p> <p>Attachment: 1. Counties’ Alternative Proposal for Rule 7.2235, Red-line Format</p> <p>Rule 7.2235. Notice of proceedings (§§ 5977-5977.3, 5979)</p>	<p>The committee believes that any revised language with less stringent service requirements risks inadequate notice at crucial points in the CARE Act proceedings. The alternative proposed language suggests that personal service would not be the default standard after the Notice of Initial Appearance. The committee is concerned that this structure would not ensure adequate notice for case management hearings where CARE agreements or CARE plans are being discussed. These later stages of the CARE Act proceedings are crucial times for the respondent’s success, and the committee wants to ensure that respondents are receiving actual notice at these important stages of the process.</p> <p>The committee also recognizes the comment’s emphasis on efficiency but notes that adopting the proposed “middle ground approach” would impair efficiency of proceedings in other ways. An approach that puts the burden on the court to “determine whether personal service is necessary, effective, and feasible based on the individual circumstances of each case” would likely result in a higher volume of requests to order or waive notice. Evaluation of these requests would require significant review and would likely impair the</p>

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	Commenter	Position	Comment	Committee Response
			<p>(a) Notice of order for report to augment petition (§ 5977(a)(3) &amp; (4))</p> <p>(1) Before engaging the respondent and preparing a report ordered under section 5977(a)(3)(B), the county agency ordered to file the report and serve notice of that order must give written notice to the respondent by serving the respondent personally or, if personal service is not practicable, by any method reasonably calculated to give the respondent actual notice. Proof of service on the respondent by any method other than personal service must include an explanation why personal service is impracticable and why the alternative method of service used is reasonably calculated to give the respondent actual notice.</p> <p>(2) The county agency must give notice to the respondent's counsel and the petitioner as provided in (d).</p> <p>(3) Notice must be given on Notice of Order for CARE Act Report (form CARE-106) and must include a copy of Order for CARE Act Report (form CARE-105) issued by the court.</p> <p>(4) Notice to the respondent and the respondent's counsel must also include a copy of the petition packet filed to begin the proceedings and Information for Respondents--About the CARE Act (form CARE-060-INFO).</p> <p>(5) If the court grants the county agency additional time to engage the respondent in voluntary treatment and services before filing the report, the county agency must, within five calendar days of the order, serve written notice of the extended report deadline on the respondent, the respondent's counsel, and the petitioner on form CARE-106 as provided in (d).</p> <p>(b) Notice of initial appearance (§ 5977(a)(3)(A), (a)(5)(C))</p> <p>(1) The county must give at least five court days' notice of the date, time, and location of the initial appearance under section 5977(b) to the respondent and the respondent's counsel, the</p>	<p>efficiency of the CARE Act proceedings court.</p> <p>Removal of the personal service requirement may also impair efficiency in another way. If the respondent does not receive actual notice of proceedings, hearings may have to be continued to protect the respondent's right to attend the hearings. (Welf. &amp; Inst. Code § 5976(a) and (e).)</p> <p>Finally, the committee does not believe that any revisions are necessary because the existing structure of rule 7.2235 provides mechanisms to address situations where personal service is not practicable or in the best interest of the respondent. The existing rule provides that if personal service on a respondent is not practicable, service may be made by any method reasonably calculated to give the respondent actual notice. (See Cal. Rules of Court rule 7.2235(b) and 7.2235(c)(3).) The corresponding proof of service must also explain why personal service is impracticable and why the chosen alternative method is reasonably calculated to give the respondent actual notice. This provision provides a mechanism for the court to order alternative service if necessary. Additionally, the recommended rule 7.2235(e) states that the respondent has the</p>

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W25-11

**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

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	Commenter	Position	Comment	Committee Response
			<p>petitioner and the petitioner's counsel unless the county behavioral health agency is the petitioner, and, if the respondent does not reside in the county where the petition is filed, the county behavioral health agency in the respondent's county of residence and the agency's counsel.</p> <p>(2) Notice must be given on Notice of Initial Appearance--CARE Act Proceedings (form CARE-110).</p> <p>(3) Notice to respondent</p> <p>(A) Notice must be served personally on the respondent or, if personal service is not practicable, by any method reasonably calculated to give the respondent actual notice. Proof of service on the respondent by any method other than personal service must include an explanation why personal service is impracticable and why the alternative method of service used is reasonably calculated to give the respondent actual notice.</p> <p>(B) Notice to the respondent must include copies of the following:</p> <p>(i) The petition packet filed to begin the proceedings;</p> <p>(ii) Any report ordered and filed under section 5977(a)(3);</p> <p>iii) Notice of Respondent's Rights--CARE Act Proceedings (form CARE-113); and</p> <p>(iv) Information for Respondents--About the CARE Act (form CARE-060-INFO).</p> <p><u>(C) Notice of any continuance of the initial appearance may be served on the respondent by any method provided in (d).</u></p> <p>(4) Notice to respondent's counsel</p> <p>(A) Notice must be served on the respondent's counsel by any method provided in (d).</p> <p>(B) Notice to the respondent's counsel must include copies of the following:</p> <p>(i) The petition packet filed to begin the proceedings; and</p>	<p>right to waive personal service of notice or to choose to receive notice through other means. This provision offers an alternative for those respondents who find personal service to be intimidating, non-therapeutic, or otherwise inappropriate.</p> <p>Therefore, existing language permits service by alternative methods if either (1) the respondent chooses or (2) the respondent's circumstances make personal service unworkable.</p>

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W25-11

**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

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	Commenter	Position	Comment	Committee Response
			<p>(ii) Any report ordered under section 5977(a)(3).            (5) Notice to other persons            Notice must be served on all other persons entitled to receive notice by any method provided in (d).            (c) Notice of other hearings (§§ 5977-5977.3, 5979)            (1) The county must give at least five court days' notice of any hearing after the initial appearance to the respondent, the respondent's counsel, any local government entity the court has joined as a party to the proceedings, and, with the respondent's express consent given in writing or orally in court, the respondent's supporter.            (2) Notice must be given on Notice of Hearing--CARE Act Proceedings (form CARE-115) and, except as provided in (3), served as provided in (d).            (3) <u>The court may order that the first</u> <del>Notice to the respondent of any hearing</del> <u>must be served personally or, if personal service is not practicable, by any method reasonably calculated to give the respondent actual notice and include a copy of Notice of Respondent's Rights--CARE Act Proceedings (form CARE-113).</u> <u>If so ordered by the court,</u> <del>Proof</del> of service on the respondent by any method other than personal service must include an explanation why personal service is impracticable and why the alternative method of service used is reasonably calculated to give the respondent actual notice. <u>Each notice served upon the respondent shall include a copy of Notice of Respondent's Rights--CARE Act Proceedings (form CARE-113).</u>            (4) <u>Notice of any continuance of a hearing may be served on the respondent by any method</u></p>	

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W25-11

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	Commenter	Position	Comment	Committee Response
			<p><u>provided in (d).</u></p> <p>(45) Notice to the respondent and the respondent's counsel of a clinical evaluation hearing under section 5977.1 (c) must include a copy of the evaluation ordered under section 5977.1 (b).</p> <p>(56) Notice to the respondent and the respondent's counsel of a status review hearing under section 5977.2 (a)(1) must include a copy of the report required by that section.</p> <p>(67) Notice to the respondent and the respondent's counsel of a one-year status hearing under section 5977.3 (a)(1) must include a copy of the report required by that section.</p> <p>(d) Method of service Unless personal service is required, any notice or other document required by this rule to be served may be served as follows: (1) Personally or by first-class mail, express mail, or overnight delivery on any person; (2) By fax transmission as provided in rule 2.306; or (3) Electronically as provided in Code of Civil Procedure section 1010.6 and rule 2.251.</p> <p>(e) Waiver Nothing in these rules limits the right of the respondent to waive personal service of notice or to choose to receive notice through their attorney or by other means. Any such waiver must be in writing or made orally in open court.</p>	
7.	Superior Court of Los Angeles County	AM	<p><b>Position on Proposal</b> Agree with proposed changes if modified</p> <hr/> <p><b>Comments</b></p>	<p>The committee appreciates this comment. No response is required.</p> <hr/> <p>No response is required.</p>

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W25-11

**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

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	Commenter	Position	Comment	Committee Response
	by Robert Oftring, Chief Communications and External Affairs Officer		<p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular judicial officer or employee.</p> <p>In response to the Judicial Council of California's proposal titled "ITC W25-08: Rules and Forms: Additional CARE Act Legislation," the Superior Court of California, County of Los Angeles (Court), concurs that the proposal effectively addresses its intended purpose.</p>	
			<p>The Court agrees the proposed forms regarding ongoing notice to original petitioners (forms CARE-118 and CARE-119) allow courts to provide sufficient notice without disclosing confidential medical information.</p> <p>It is unclear if there will be cost savings, as the Court would need to train its staff on the changes.</p> <p>The Court does not believe forms CARE-118 and CARE-119 need to provide additional instructions on how to determine the reasoning or basis for the continuance or dismissal.</p>	No response is required.
			<p>To implement the proposal, the Court would need to:</p> <ul style="list-style-type: none"> <li>-Train court services assistants on the new forms (102, 118, and 119) and would take about two hours to complete.</li> <li>-Revise the initial filing procedure to include the option for licensed behavioral health professionals to use CARE-102 to start a CARE case. The Court would also want to revise its hearings procedure to make mention of the new ongoing notice requirement. This should not take long to change on the actual</li> </ul>	No response is required.

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W25-11

**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

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	Commenter	Position	Comment	Committee Response
			<p>procedures since the changes are minimal. The Court estimates a couple of hours to train.</p> <p>-Train Self-Help staff on the new forms and the ongoing notice requirement right that is being granted to original petitioner.</p> <p>-The Court Technology Services Division would need to create a new case management system event code for CARE-102, 118, and 119. They would also have to configure CARE-102 for OFS and AWF. CARE-118 and 119 would need to be configured so that we can generate them in the case management system.</p> <p>Three months should be sufficient to implement from an operations standpoint. The changes will work in Los Angeles County, but it could be a burden for smaller courts that do not have as many resources.</p> <p>For general comments, the new Standard 7.20 envisages that CARE Court judicial officers should undertake a leadership role among the justice partners to coordinate care and an educational role for the public. Specifically, proposed Standard 7.20(a)(1) encourages CARE Court judges to “monitor what specific supports and services are available in the local community for inclusion in CARE agreements and CARE plans.” This is a potentially inappropriate role for the CARE Court judge who is responsible under proposed Standard 7.20(a)(2) in using its adjudicatory role to “enforce the delivery of specific services and supports for respondents.” The Court suggests that proposed Standard 7.20(a)(1) be deleted.</p>	<p>The committee agrees with this comment recommends removing proposed standard 7.20(a)(1), as circulated for comment, accordingly.</p>

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W25-11

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	Commenter	Position	Comment	Committee Response
			<p>Proposed Standard 7.20(b)(1) requires that CARE Court to “educate the community concerning the role of the CARE Act court in providing services and support for eligible adults.” While this may be a laudable goal for the CARE Act Courts, requiring judges to provide this education as a Standard of Judicial Administration is inappropriate. In addition, the education component will require coordination with Court Leadership, CARE Court judges and the Court’s Communications Division. If additional judicial time is needed for this purpose, then it may be necessary to assign an extra judicial officer to the LPS Courts in Norwalk.</p> <p>The specific public education component appears to be unique to CARE Court. However, there is no new funding to implement this. It is a significant concern for CARE Court judicial officers to educate the community without adequate funding to support these efforts. Therefore, the Court proposes suggests that proposed Standard 7.20(b)(1) be deleted.</p> <p>Additionally, the new rules and forms governing communication between CARE Court judges and judges in Criminal (e.g., Hollywood in this context) and Juvenile Courts propose that cases remain open while CARE Court proceedings are pursued. However, in Los Angeles County, this approach is inapplicable to Criminal Courts. Referrals to CARE Court for criminal defendants are limited to individuals found incompetent to stand trial.</p> <p>In Los Angeles County, all incompetent misdemeanor defendants are evaluated for mental health diversion through the Office of Diversion and Reentry (ODR). If they are deemed</p>	<p>The committee agrees with this comment and recommends removing proposed standard 7.20(b)(1), as circulated for comment, accordingly.</p> <p>No response is required.</p>

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**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

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	Commenter	Position	Comment	Committee Response
			<p>unsuitable due to refusal of medication or services, lower levels of care, such as CARE Court or Assisted Outpatient Treatment (AOT), are inappropriate. These defendants are instead evaluated for LPS conservatorship, and their cases are dismissed regardless of whether conservatorship is established.</p> <p>For felony cases, recent changes to Penal Code 1370 emphasize diversion for all eligible defendants. If a defendant is found unsuitable for diversion, it would not be logical to consider them for voluntary programs like AOT or CARE Court. Instead, they are either evaluated for LPS conservatorship or returned to treatment to restore competency.</p>	
8.	<p>Superior Court of Orange County                      Probate Operations Management                      by Sean Lillywhite,                      Operations Analyst</p>	NI	<p>Comments: Form CARE-102 <i>Petition to Begin CARE Act Proceedings by Licensed Behavioral Health Professional Only</i> is proposed for optional use and Rule 7.2221 specifies that it must be used if petitioner is a licensed behavioral health professional. The instructions in CARE-102 state that “If you complete and file this form, you do not need to complete or file Mental Health Declaration—CARE Act Proceedings (form CARE-101). (See Cal. Rules of Court, rule 7.2221(a), (b)(1).)” Since CARE-100 <i>Petition to Commence CARE Act Proceedings</i> is mandatory, should the instructions on CARE-102 state that this also replaces CARE-100? For example: “If you complete and file this form, you do not need to complete or file Petition to Commence CARE Act Proceedings (form CARE-100) or Mental Health Declaration—CARE Act Proceedings (form CARE-101). (See Cal. Rules of Court, rule 7.2221(a), (b)(1).)” Reference the proposal’s discussion on page four regarding the adoption of form CARE-102.</p>	<p>The committee agrees with the suggested change and recommends revising the form in a similar manner.</p>

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W25-11

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	Commenter	Position	Comment	Committee Response
			<p>Comments: Forms CARE-118 <i>Notice of Hearing or Continuance</i> and CARE-119 <i>Notice of Dismissal</i> are tailored specifically for an original petitioner described in subdivision (a) or (b) of Section 5974 for purposes of W&amp;I 5977(b)(6)(B)(ii)(II). Form CARE-118 does not include the original date of the hearing being continued. This information would be important for the clerk processing the continuance when ordered as chambers work.</p>	<p>The committee appreciates this comment but does not recommend modifying the proposal in response. Including the original date of the hearing being continued may be helpful in some instances but is not statutorily required and does not affect the petitioner’s rights. To the extent that including the original hearing date impacts the processing of papers, the committee recognizes that courts have different internal methods and technologies for processing court forms and does not recommend modifying the proposal in a way that may work for some courts but not others. Finally, forms CARE-118 and CARE-119 are optional forms (see Cal. Rules of Court, rule 1.35) and courts may choose to create its own local forms that better align with its own internal processing, so long as the local forms meet all relevant statutory requirements.</p>
			<p>Nor is there space for providing hearing time, department, or location. If the original petitioner is permitted to attend the hearing, this information would need to be included.</p>	<p>The committee does not recommend modifying the proposal in response. Providing the hearing time, department, or location is not statutorily required for form CARE-118. Further, as the original petitioner does not have a statutory right to be present beyond the initial hearing on the merits, providing such information may encourage the petitioner to attempt to attend the hearing even if they are not permitted to do so, which would disrupt the process. (See Welf. &amp; Inst.</p>

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W25-11

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				Code section 5977(b)(6)(B)(i.) If the petitioner is entitled to receive notice of the new hearing date, they could receive it through the normal <i>Notice of Hearing—CARE Act Proceedings</i> (CARE-115).
			On form CARE-119, the Clerk’s Certificate of mailing only allows for one party to be noticed. There may be an occasion where there are two or more original petitioners under W&I subdivision (a) or (b) of Section 5974 (parents with separate addresses), consider adding another column to add an additional address.	The committee does not recommend modifying the proposal in response. Creating space for additional addresses would be unnecessary for many cases and risks confusing petitioners or respondents in situations where there is only one petitioner. In the event that there is more than one original petitioner, a court can satisfy its obligations by completing a separate form CARE-119 for each original petitioner.
9.	Superior Court of San Diego County by Elizabeth Allen, Legal Services Manager	A	<p><b>Specific Comments</b></p> <p>Q: Does the proposal appropriately address the stated purpose?  <b>A: Yes.</b></p> <p>Q: Do the proposed forms regarding ongoing notice to original petitioners (forms CARE-118 and CARE-119) allow the court to provide sufficient notice without disclosing confidential medical information?  <b>A: Yes.</b></p> <p>Q: Would the proposal provide cost savings? If so, please quantify.  <b>A: No.</b></p> <p>Q: Would rules related to the substance of forms CARE-118 and CARE-119—notice to petitioners, respondents’ privacy rights, etc.—be appropriate and useful?</p>	The committee appreciates this comment. No response is required.

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W25-11

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			<p><b>A: Additional rules related to CARE-118 and CARE-119 are not necessary. Welfare and Institutions Code section 5977(b)(6)(B)(ii)(II) provides sufficient guidance.</b>            Q: Do forms CARE-118 and CARE-119 need to provide additional instructions to the court on how to determine the reasoning or basis for the continuance or dismissal?  <b>A: No, Welfare and Institutions Code section 5977(b)(6)(B)(ii)(II) provides sufficient guidance.</b>            Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?  <b>A: Updating procedures, training business office and courtroom staff, and notifying judicial officers.</b>            Q: Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?  <b>A: Yes.</b>            Q: How well would this proposal work in courts of different sizes?  <b>A: It appears the proposal would work for courts of all sizes.</b></p> <p>No additional Comments.</p>	
10.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC)	AM	<p><b>JRS Position: Agree with proposed changes if modified.</b></p> <hr/> <p>The JRS notes that the proposal is required to conform to a change of law and is intended to provide significant cost savings and efficiencies, generate significant revenue, or avoid a significant loss of revenue.</p>	<p>The committee appreciates this comment. See below for responses to specific comments.</p> <hr/> <p>No response is required.</p>

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	Commenter	Position	Comment	Committee Response
	(TCPJAC/CEAC Joint Rules Subcommittee) by Corey Rada, Senior Analyst		The JRS also notes the following impact to court operations: <ul style="list-style-type: none"> <li>• Impact on existing automated systems.                             <ul style="list-style-type: none"> <li>○ The creation of new forms and modification of existing forms will require changes be made within case management systems to facilitate the use of the forms. Such changes should be relatively easy to implement, however.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• Results in additional training, which requires the commitment of staff time and court resources.                             <ul style="list-style-type: none"> <li>○ Operations and self-help staff will need to be trained on the various changes resulting from the initiating legislation and these rule and form changes in order to provide accurate information to the public and justice partners, and to process CARE Act cases correctly following these changes. New noticing requirements for instance are a significant change for operations staff.</li> </ul> </li> </ul>		No response is required.		
<ul style="list-style-type: none"> <li>• Changes the responsibilities of the presiding judge and/or supervising judge. The adoption of Standard of Judicial Administration 7.20 as proposed would expand the role of the court and in turn of the presiding judge and CARE Court judge. Specifically, including subsections (a)(1) and (b)(1) in standard 7.20 would suggest that it is the court’s role to provide community education and monitor which services are available in the community. That is not the court’s role as the neutral arbiter of these proceedings, but rather the role of executive branch entities such as county behavioral health departments. That is particularly true when it comes to monitoring</li> </ul>		The committee agrees with this comment and recommends removing proposed standards 7.20(a)(1) and 7.20(b)(1), as circulated for comment, accordingly.		

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W25-11

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	Commenter	Position	Comment	Committee Response
			<p>available services. Further, all courts do not have the capacity or expertise to fulfill this role. Although the Standards of Judicial Administration are not mandates, the Judicial Council should not adopt a standard that suggests these activities are the responsibility of courts. Those subsections should be removed from the proposed rule change. They are not required to comply with SB 42’s amendment to Welfare and Institutions Code section 5977.4(c) to add “the role of the judiciary to improve system performance” to the list of topics for which the Judicial Council must establish rules and policies.</p>	
			<ul style="list-style-type: none"> <li>• Impact on local or statewide justice partners.               <ul style="list-style-type: none"> <li>○ Various changes are proposed to create efficiencies for justice partners, and other changes affect the role of justice partners in this area. These changes seem likely to result in a net positive impact for justice partners.</li> </ul> </li> </ul>	<p>No response is required.</p>
			<p><b><u>Suggested Modifications</u></b>          Proposed Standard of Judicial Administration 7.20 should be modified by removing subsections (a)(1) and (b)(1). See comment on impact #7 below for the rationale behind this suggested modification.</p>	<p>The committee agrees with this comment and recommends removing proposed standards 7.20(a)(1) and 7.20(b)(1), as circulated for comment, accordingly.</p>
			<p><b><u>Specific Proposal Questions and Responses</u></b></p> <ol style="list-style-type: none"> <li>1. Does the proposal appropriately address the stated purpose?           <ol style="list-style-type: none"> <li>a. <i>For the most part, yes. It goes too far, however, with some of the proposed language in Standard of</i></li> </ol> </li> </ol>	<p>No response is required.</p>

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	Commenter	Position	Comment	Committee Response
			<p><i>Judicial Administration 7.20. See the comment on impact #7 above.</i></p> <p>2. Do the proposed forms regarding ongoing notice to original petitioners (forms CARE-118 and CARE-119) allow the court to provide sufficient notice without disclosing confidential medical information?  <i>a. Yes.</i></p> <p>3. Would the proposal provide cost savings? If so, please quantify.  <i>a. No.</i></p> <p>4. Would rules related to the substance of forms CARE-118 and CARE-119—notice to petitioners, respondents’ privacy rights, etc.—be appropriate and useful?  <i>a. This does not seem necessary. These forms are very straight forward.</i></p> <p>5. Do forms CARE-118 and CARE-119 need to provide additional instructions to the court on how to determine the reasoning or basis for the continuance or dismissal?  <i>a. No. As stated in the report, the statute provides sufficient information.</i></p> <p>6. What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p>	

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**Rules and Forms: Additional CARE Act Legislation** (amend Cal. Rules of Court, rules 7.2210, 7.2221, and 7.2235, adopt form CARE-102; approve forms CARE-118 and CARE-119; revise forms CARE-050-INFO, CARE-060-INFO, and CARE-100; and adopt Cal. Stds. Jud. Admin., std 7.20)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p><i>a. See the impact comments above.</i></p> <p>7. Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p><i>a. Yes.</i></p> <p>8. How well would this proposal work in courts of different sizes?</p> <p><i>a. As proposed, Standard of Judicial Administration 7.20 would not be realistic to comply with for courts of varying sizes, namely medium and small courts with limited resources to engage in activities beyond the adjudication and processing of cases. The proposed modification to the standard would address that issue. Other requirements in this proposal may be burdensome for small courts as well, such as added noticing requirements, but are unavoidable given new statutory requirements.</i></p>	

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399

*Committee or other entity submitting the proposal:*  
Probate and Mental Health Advisory Committee

*Staff contact (name, phone and email):* Corby Sturges, 415-865-4507, corby.sturges@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): October 22, 2024

Project description from annual agenda: The committee will develop a recommendation for amendments to rules 7.1013 and 7.1063 and revisions to forms GC-079, GC-079(MA), GC-080, and GC-080(MA) to implement changes made by Senate Bill 1106 (Rubio; Stats. 2024, ch. 455) to the requirements for notice of a guardian's or conservator's intent to change the residence of a ward or conservatee.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

The committee proposes a July 1, 2025, effective date to give conservators and guardians, especially nonprofessionals who may be self-represented, a vehicle to comply with the new notice requirements; to give courts updated tools to monitor the whereabouts of conservatees and wards; and to spread the workload of the courts and the committee in developing, commenting on, and implementing new and amended rules and forms over two rules cycles instead of one.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

When developing this proposal, the committee determined that it could not properly implement SB 1106 without revising forms DE-154/GC-035 and GC-399. These revisions would give effect to the bill's amendments to Probate Code section 2361 regarding requests for special notice and a conservator's notice of funeral arrangements for a deceased conservatee.

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) February 14, 2025

approved by Office Director (or Designee) (name) Audrey Fancy  
on (date) February 14, 2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)
  - The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).
- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.





# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-074*

For business meeting on April 25, 2025

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Title	Report Type
Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399	July 1, 2025
Recommended by	Date of Report
Probate and Mental Health Advisory Committee	February 24, 2025
Hon. Jayne Chong-Soon Lee, Chair	Contact
	Corby Sturges, 415-865-4507 Corby.Sturges@jud.ca.gov

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### Executive Summary

Amendments to Probate Code sections 2352, 2361, and 2700 by Senate Bill 1106 (Stats. 2024, ch. 455) expanded the duty of a conservator or guardian of the person to give notice before the change of residence of a conservatee or ward and required a conservator to give notice, electronically if possible, of any arrangements they have made for a deceased conservatee's funeral, burial, or memorial. The Probate and Mental Health Advisory Committee recommends amending two rules and revising six forms to apply the new statutory requirements and update the rules and forms to conform to other amendments to the law, including the statutory authorization of electronic delivery of notices and other papers, subject to consent.

### Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective July 1, 2025:

1. Amend California Rules of Court, rule 7.1013 to eliminate the separate treatment of the ward's personal residence, restructure the rule to group concurrent actions together, update the rule to conform to new and existing law, and make technical and conforming changes;
2. Amend rule 7.1063 to eliminate the separate treatment of the ward's personal residence, restructure the rule to group concurrent actions together, update the rule to conform to new and existing law, and make technical and conforming changes;
3. Revise *Request for Special Notice* (form DE-154/GC-035) to provide for electronic delivery, clarify the requirements for delivery, and make technical and conforming changes;
4. Revise *Pre-Move Notice of Proposed Change of Personal Residence of Conservatee or Ward* (form GC-079) to retitle it *Notice Before Proposed Change of Residence of Conservatee or Ward*, update the instructions and item 4 to conform to new and existing law, and make technical and conforming changes;
5. Revise *Attachment to Pre-Move Notice of Proposed Change of Personal Residence of Conservatee or Ward* (form GC-079(MA)) by retitling it to reflect the new title of form GC-079 and making technical and conforming changes;
6. Revise *Post-Move Notice of Change of Residence of Conservatee or Ward* (form GC-080) to retitle it *Notice After Change of Residence of Conservatee or Ward*, update the instructions and item 3 to conform to new and existing law, and make technical and conforming changes;
7. Revise *Attachment to Post-Move Change of Residence of Conservatee or Ward* (form GC-080(MA)) by retitling it to reflect the new title of form GC-080 and making technical and conforming changes; and
8. Revise *Notice of the Conservatee's Death* (form GC-399) to allow for notice of funeral arrangements, provide for electronic delivery, and make technical and conforming changes.

The proposed amended rules and revised forms are attached at pages 7–23.

### **Relevant Previous Council Action**

Effective January 1, 2000, the Judicial Council adopted all existing optional probate forms, including form DE-154/GC-035, for mandatory use and directed that, as each form was revised, the first-page footer be updated to indicate that the form had been adopted for mandatory use.<sup>1</sup>

Effective January 1, 2008, the council adopted rules 7.1013 and 7.1063 and form GC-079, revised form GC-080, and approved forms GC-079(MA) and GC-080(MA) to implement

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<sup>1</sup> See Judicial Council of Cal., Probate and Mental Health Task Force Rep., *Legal Forms—Adopting All Probate Forms as Mandatory Forms* (Sept. 15, 1999).

expanded requirements in Probate Code section 2352 for notice of a change of a conservatee's or ward's residence.<sup>2</sup>

Effective January 1, 2017, the council adopted form GC-399 for a conservator to use to give notice of the conservatee's death as required by Probate Code section 2361.<sup>3</sup>

## **Analysis/Rationale**

A conservator or guardian of the person may establish the residence of the conservatee or ward at any place within California without permission of the court, subject to the duty to select the least restrictive appropriate residence that is available and necessary to meet the needs of the conservatee or ward and is in the conservatee's or ward's best interests.<sup>4</sup> Every time the conservator or guardian changes the residence of the conservatee or ward, they must file notice of the change with the court "within 30 days of the change" and deliver copies of the notice to specified persons."<sup>5</sup> The notice must include a declaration by the conservator or guardian that the change is the least restrictive appropriate residence and in the best interests of the conservatee or ward.<sup>6</sup>

A conservator or guardian must also file a petition and obtain the court's permission before establishing the conservatee's or ward's residence outside of California.<sup>7</sup> And until January 1, 2025, a conservator or guardian was required to deliver notice to specific persons at least 15 days before a proposed move of a conservatee or ward from their "personal residence" to a new residence in California and file proof of service of that notice with the court.<sup>8</sup>

Effective January 1, 2025, SB 1106 amended section 2352 to expand the notice requirements. First, the bill amended section 2352(e)(2) to require a conservator to give notice after a conservatee's change of residence to any person who has requested special notice of the matter

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<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., *Probate: Notice of Changes of Residence of Conservatees or Wards* (Oct. 12, 2007). Most of the expanded requirements in section 2352 were enacted by Senate Bill 1116 (Stats. 2006, ch. 490), which was part of the Omnibus Conservatorship and Guardianship Reform Act of 2006. See Assem. Bill § 1363 (Stats. 2006, ch. 493, § 1).

<sup>3</sup> Judicial Council of Cal., Advisory Com. Rep., *Probate Conservatorship: Notice of the Conservatee's Death* (Aug. 25, 2016). Assembly Bill 1085 (Stats. 2015, ch. 92, § 3) added section 2361 to the Probate Code.

<sup>4</sup> Prob. Code, § 2352(a) (ward), (b) (conservatee). All further statutory references are to the Probate Code unless otherwise specified.

<sup>5</sup> § 2352(e)(1)–(2). The council has consistently interpreted "within 30 days of the change" to require delivery and filing of the notice of change of residence no more than 30 days *after* the change. See Judicial Council of Cal., Advisory Com. Rep., *Probate: Notice of Changes of Residence of Conservatees or Wards* (Oct. 12, 2007), pp. 2–3.

<sup>6</sup> Assembly Bill 1340 (Stats. 2008, ch. 293, § 8) amended section 2352(e)(1) to apply this requirement to guardianships. The council did not then revise form GC-080 to reflect that change in the law. The committee recommends doing so now.

<sup>7</sup> § 2352(c). See also section 2352(d) regarding required provisions of a court order granting a petition to establish the residence of a conservatee or ward outside of California.

<sup>8</sup> § 2352(e)(3).

under section 2700.<sup>9</sup> Second, the bill amended section 2352(e)(3) to provide that a guardian or conservator who proposes to remove the ward or conservatee from their current residence *or* personal residence and place them in another residence in California must deliver notice of the intended change to specified persons, including a person who had requested special notice, *before* the change occurs. The committee recommends amending rules 7.1013 and 7.1063 and revising forms GC-079 and GC-080 to provide for these expanded notice requirements. The recommended changes include requiring notice before any change of a conservatee’s or ward’s residence, not only removal from their personal residence.

Since January 1, 2016, section 2361 has required a conservator of the person, unless the court orders otherwise, to give notice of a conservatee’s death by delivering a copy of the notice to specific persons and filing proof of delivery with the court.<sup>10</sup> SB 1106 amended section 2361 in three respects. First, it amended section 2361(a) to add a person who has requested special notice of the matter under section 2700 to the persons a conservator must notify of the conservatee’s death.<sup>11</sup> Second, the bill added section 2361(b), which requires a conservator who has made any funeral, memorial, or burial arrangements for the deceased conservatee to give notice of the date, time, and location of those arrangements. Third, new section 2361(b) requires electronic delivery of the notice of funeral, burial, or memorial arrangements whenever possible. The committee recommends revising form GC-399 to add the opportunity to give notice of the required arrangements and prioritize electronic delivery.<sup>12</sup> The committee also recommends revising form DE-154/GC-035 to allow a person requesting special notice to request electronic delivery.<sup>13</sup>

Assembly Bill 976 (Stats. 2017, ch. 319) amended section 1215 to authorize three methods of delivering notices and other papers—by mail, by personal delivery, and by electronic delivery—in the absence of express provision otherwise and amended almost all references in the Probate Code that referred to mailing of notice to require delivery “pursuant to section 1215” instead. As rules and forms have been updated, the committee has phased in the replacement of mailing with

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<sup>9</sup> § 2352(e)(2)(B). This amendment does not apply to a guardian’s change of a ward’s residence. *Ibid.*

<sup>10</sup> § 2361 (added by Assem. Bill 1085 (Stats. 2015, ch. 92, § 3)).

<sup>11</sup> Former section 2361 required delivery of notice “to all persons entitled to notice under Section 1460,” and section 1460(b)(4) requires delivery of notice to “[a]ny person who has requested special notice.” Form GC-399 therefore already directed a conservator or guardian to deliver notice to any person who had requested special notice under section 2700, and no revision is needed to apply this amendment.

<sup>12</sup> SB 1106 also amended section 2700 to specify that an “interested person” authorized to file a request for special notice “may include, but is not limited to, a family member of the conservatee not included in Section 1460 or a friend of the conservatee.” The intent underlying the statutory specification of “a family member ... not included in section 1460” as an interested person is somewhat obscure, as section 2700 already authorized “any relative” of the conservatee to request special notice. Nevertheless, the legislative intent to authorize the conservatee’s family members and friends to file requests for special notice is clear.

<sup>13</sup> In addition, the committee recommends updating the first-page footer to indicate that form DE-154/GC-035 is mandatory. When the council adopted all the existing probate forms for mandatory use, effective January 1, 2000, it approved a plan to add the words “Form Adopted for Mandatory Use” to existing forms as they were revised. See Judicial Council of Cal., Advisory Com. Rep., *supra* note 2, p. 1, fn. 2. This report is the first to recommend revisions to form DE-154/GC-035 since 1998.

delivery using one of the methods authorized by section 1215. The committee recommends amending rules 7.1013(a)–(b) and 7.1063(a)–(b) and revising the instructions and proofs of delivery on forms DE-154/GC-035, GC-079, and GC-080 to replace references to mail or mailing with references to delivery and, as appropriate, discuss the permissible methods of delivery. The committee also recommends revising form GC-399 to add instructions for and a proof of electronic delivery to apply the preference for that method of delivery in amended section 2361.

### **Policy implications**

This recommendation is required to implement recently enacted statutory amendments and otherwise to conform to law. It also improves the quality of justice and service to the public.

### **Comments**

The proposal circulated for public comment from December 6, 2024, to January 6, 2025, as part of the winter 2025 cycle to the regular mailing list as well as the probate listserv. The committee received five comments, which were uniformly positive. Three commenters agreed with the proposal, and two commenters agreed with suggested modifications. The Superior Court of San Diego County suggested several revisions to the forms. The committee has accepted all but two of those suggestions. A chart of comments received and committee responses is attached at pages 24–30.

The court suggested continuing to use “pre-move” and “post-move” in forms GC-079, GC-079(MA), GC-080, and GC-080(MA) instead of replacing those terms with “before” and “after.” The committee does not recommend this change. “Before” and “after” are routinely used, plain English terms. Self-represented litigants and nonprofessional conservators are more likely to be familiar with these terms than the neologisms “pre-move” and “post-move” and so better able to understand and use them.

The court also suggested removing the checkbox before the proposed addition of “funeral arrangements” in the caption of form GC-399 because the box is unnecessary. The committee recognizes that the checkbox is not strictly necessary but does not recommend removing it. The checkbox may help to alert a nonprofessional conservator that they are not required to give notice of a deceased conservatee’s funeral arrangements unless they themselves have made those arrangements. It also allows recipients to quickly determine the scope of the information included in the form. The committee has, however, modified its recommendation to clarify the conservator’s duties under section 2361(b) with respect to completing item 2.

### **Alternatives considered**

The committee did not consider the alternative of taking no action because the revisions are required to implement statutory changes affecting the duties of court-appointed conservators and guardians and to bring the forms into conformity with other aspects of the law.

The committee considered deferring this recommendation to the spring 2025 cycle for an effective date of January 1, 2026, but determined that an earlier effective date would assist

nonprofessional conservators to comply with the expanded statutory requirements and better distribute the operational impact on the courts of implementing updated rules and forms.

### **Fiscal and Operational Impacts**

Courts and the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee noted that courts would need to reprogram their case management systems and train staff to implement the statutory changes. They also anticipated an increased number of notices filed and a consequent increased workload.

### **Attachments and Links**

1. Cal. Rules of Court, rules 7.1013 and 7.1063, at pages 7–13
2. Forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399, at pages 14–23
3. Chart of comments, at pages 24–30
4. Link A: Sen. Bill 1106 (Stats. 2024, ch. 455),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB1106](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1106)
5. Link B: Assem. Bill 976 (Stats. 2017, ch. 319),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180AB976](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB976)
6. Link C: Assem. Bill 1340 (Stats. 2008, ch. 293),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=200720080AB1340](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200720080AB1340)

Rules 7.1013 and 7.1063 of the California Rules of Court are amended, effective July 1, 2025, to read:

1 **Rule 7.1013. Change of ward's residence (Prob. Code, § 2352)**

2  
3 **(a) ~~Pre-move notice of~~ Notice before proposed change of ~~personal~~ residence**  
4 **required**

5  
6 (1) Unless an emergency requires a shorter notice period ~~of notice~~, the a guardian  
7 of the person must ~~mail copies of a~~ deliver notice of an intended change of  
8 the ward's ~~personal~~ residence to ~~the~~ each persons listed below at least 15  
9 days before the date of the proposed change and then file the original notice  
10 ~~with form and proof of mailing~~ delivery with the court. ~~Copies of the notice~~  
11 ~~must be mailed:~~

12  
13 (2) Except as provided in (e), notice must be delivered using one of the methods  
14 authorized by Probate Code section 1215 to:

15  
16 (1)(A) The ward, if ~~he or she~~ is 12 years of age or older;

17  
18 (2)(B) The ward's attorney of record ~~for the ward~~;

19  
20 (3)(C) The ward's parents and any former Indian custodian;

21  
22 (4)(D) Any person who had legal custody of the ward when the first  
23 petition for appointment of a guardian was filed in the proceeding;

24  
25 (5)(E) Any guardian of the ward's estate;

26  
27 (6)(F) Any person who was nominated as guardian of the ward but was not  
28 appointed ~~guardian in the proceeding~~; and

29  
30 (7)(G) The ward's tribe, if the ward is an Indian child and the ~~ward's~~  
31 tribe has intervened in the proceeding; and

32  
33 (H) Any interested person who has requested special notice of the matter  
34 under Probate Code section 2700.

35  
36 (3) If the notice is delivered less than 15 days before the intended date of the  
37 move, the guardian must describe the circumstances that require a shorter  
38 notice period.

39  
40 **(b) ~~Ward's personal residence~~**

41

1 The “ward’s personal residence” under (a) is the ward’s residence when the first  
2 petition for appointment of a guardian was filed in the proceeding.

3  
4 **~~(e)(b)~~ Post-move notice of a Notice after change of residence required**

5  
6 (1) ~~The A~~ guardian of the person of a minor must file a notice of any change of  
7 the ward’s residence with the court ~~within no more than 30 days of~~ after the  
8 date of ~~any the~~ change. Unless waived by the court for good cause to prevent  
9 harm to the ward, the guardian, the guardian’s attorney, or an employee of  
10 the guardian’s attorney must also ~~mail a copy of the~~ deliver notice to ~~the each~~  
11 persons listed below and file a proof of ~~mailing with the original notice~~  
12 delivery with the court. ~~Unless waived, copies of the notice must be mailed~~  
13 ~~to:~~

14  
15 (2) Except as provided in (e), notice must be delivered using one of the methods  
16 authorized by Probate Code section 1215 to:

17  
18 (1)(A) The ward’s attorney of record;

19  
20 (2)(B) The ward’s parents and any former Indian custodian;

21  
22 (3)(C) Any person who had legal custody of the ward when the first  
23 petition for appointment of a guardian was filed in the proceeding;

24  
25 (4)(D) Any guardian of the ward’s estate;

26  
27 (5)(E) Any person who was nominated as guardian of the ward but was  
28 not appointed ~~guardian in the proceeding~~; and

29  
30 (6)(F) The ward’s tribe, if the ward is an Indian child and the ward’s tribe has  
31 intervened in the proceeding.

32  
33 **~~(d)~~ Ward’s residence**

34  
35 The “ward’s residence” under (c) is ~~the ward’s residence at any time after~~  
36 ~~appointment of a guardian~~.

37  
38 **~~(e)(c)~~ Use of Judicial Council forms GC-079 and GC-080**

39  
40 (1) ~~The Pre-Move A~~ guardian must use Notice of Before Proposed Change of  
41 Personal Residence of Conservatee or Ward (form GC-079) ~~must be used~~ for  
42 the ~~pre-move~~ notice required under (a) and Probate Code section 2352(e)(3)  
43 before a change of residence. The guardian, the guardian’s attorney, or an



1 employee of the attorney may complete ~~the mailing~~ delivery of notice and, if  
2 applicable, sign and file the proof of mailing delivery by mail on page 2 of  
3 the form. ~~If the notice is mailed less than 15 days before the date of the move~~  
4 ~~because an emergency requires a shorter period of notice, the basis for the~~  
5 ~~emergency must be stated in the notice.~~

- 6  
7 (2) ~~The Post Move~~ A guardian must use Notice of After Change of Residence of  
8 Conservatee or Ward (form GC-080) ~~must be used~~ for the ~~post-move~~ notice  
9 required under ~~(e)(b)~~ and Probate Code section 2352(e)(1) and (2) after a  
10 change of residence. The guardian, the guardian's attorney, or an employee  
11 of the attorney may complete ~~the mailing~~ delivery of notice and, if  
12 applicable, sign and file the proof of mailing delivery by mail on page 2 of  
13 the form.

14  
15 **~~(f)(d)~~ Prior Court approval required to before establishing ward's residence outside**  
16 **California**

17  
18 Notwithstanding any other provision of this rule, ~~prior~~ court approval is required  
19 before a guardian may establish a ward's residence ~~may be established~~ outside the  
20 state of California.

21  
22 **~~(g)(e)~~ Wards 18 to 20 years of age**

23  
24 For a ward who is at least 18 but not yet 21 years of age, ~~a copy of any~~ notice under  
25 this rule must be ~~mailed~~ delivered only to the ward and the ward's attorney of  
26 record.

27  
28  
29 **Rule 7.1063. Change of conservatee's residence; determination of level of care**  
30 **(Prob. Code, §§ 2352, 2352.5)**

31  
32 **(a) ~~Pre-move notice of~~ Notice before proposed change of personal residence**  
33 **required**

- 34  
35 (1) Unless an emergency requires a shorter notice period ~~of notice~~, ~~the a~~  
36 conservator of the person must ~~mail copies of a~~ deliver notice of an intended  
37 change of the conservatee's ~~personal~~ residence to ~~the each~~ persons listed  
38 below at least ~~15~~ 20 days before the date of the proposed change, and file the  
39 original notice ~~with~~ form and proof of mailing delivery with the court. ~~Copies~~  
40 ~~of the notice must be mailed to:~~

- 41  
42 (2) Notice must be delivered using one of the methods authorized by Probate  
43 Code section 1215 to:

- 1  
2           (1)(A)     The conservatee;
- 3
- 4           (2)(B)     The conservatee’s attorney of record;
- 5
- 6           (3)(C)     The conservatee’s spouse or registered domestic partner, if any;
- 7                     and
- 8
- 9           (4)(D)     The conservatee’s relatives ~~named in the *Petition for*~~  
10                     *Appointment of Probate Conservator* (form GC 310), including within  
11                     the second degree or—if the conservator does not know of any spouse,  
12                     domestic partner, or relatives within the second degree—the  
13                     conservatee’s “deemed relatives” under Probate Code section  
14                     1821(b)(1)–(4) ~~if the conservatee has no spouse or registered domestic~~  
15                     ~~partner and no second degree relatives.~~; and
- 16
- 17           (E)     Any interested person who has requested special notice of the matter  
18                     under Probate Code section 2700.

- 19
- 20           (3)     If the notice is delivered less than 20 days before the intended date of the  
21                     move, the conservator must describe the circumstances that require a shorter  
22                     notice period.

23

24           **(b) Conservatee’s personal residence**

- 25
- 26           (1)     ~~The “conservatee’s personal residence” under (a) is the residence the~~  
27                     ~~conservatee understands or believes, or reasonably appears to understand or~~  
28                     ~~believe, to be his or her permanent residence on the date the first petition for~~  
29                     ~~appointment of a conservator was filed in the proceeding, whether or not the~~  
30                     ~~conservatee is living in that residence on that date. A residential care facility,~~  
31                     ~~including a board and care, intermediate care, skilled nursing, or secured~~  
32                     ~~perimeter facility, may be the conservatee’s personal residence under this~~  
33                     ~~rule.~~
- 34
- 35           (2)     ~~If the conservatee cannot form or communicate an understanding or belief~~  
36                     ~~concerning his or her permanent residence on the date the first petition for~~  
37                     ~~appointment of a conservator was filed in the proceeding, his or her personal~~  
38                     ~~residence under this rule is the residence he or she last previously understood~~  
39                     ~~or believed, or appeared to understand or believe, to be his or her permanent~~  
40                     ~~residence.~~
- 41
- 42           (3)     ~~For purposes of this rule, the following changes of residence are or are not~~  
43                     ~~changes of the conservatee’s personal residence, as indicated:~~

1  
2 (A) ~~A move from the conservatee’s personal residence under this rule to a~~  
3 ~~residential care facility or other residence is a change of the~~  
4 ~~conservatee’s personal residence under (a).~~

5  
6 (B) ~~A move from a residential care facility or other residence to another~~  
7 ~~residence that is not the conservatee’s personal residence under this~~  
8 ~~rule is a change of the conservatee’s personal residence under (a).~~

9  
10 (C) ~~A move from a residential care facility or other residence to the~~  
11 ~~conservatee’s personal residence under this rule is not a change of the~~  
12 ~~conservatee’s personal residence under (a).~~

13  
14 ~~(e)(b)~~ **Post-move notice of a Notice after change of residence required**

15  
16 The A conservator of the person must file a notice of any change of the  
17 conservatee’s residence with the court ~~within~~ no more than 30 days ~~of~~ after the date  
18 of the change. Unless waived by the court for good cause to prevent harm to the  
19 conservatee, the conservator must ~~mail a copy of the~~ deliver notice to ~~the~~ each  
20 persons ~~named~~ listed below and file a proof of mailing delivery with the ~~original~~  
21 ~~notice filed with the court. Unless waived, the notice must be mailed to:~~

- 22  
23 (1) The conservatee’s attorney of record;  
24  
25 (2) The conservatee’s spouse or registered domestic partner, if any; and  
26  
27 (3) The conservatee’s relatives ~~named in the~~ Petition for Appointment of Probate  
28 Conservator (form GC 310), including within the second degree or—if the  
29 conservator does not know of any spouse, domestic partner, or relatives  
30 within the second degree—the conservatee’s “deemed relatives” under  
31 Probate Code section 1821(b)(1)–(4) if the conservatee has no spouse or  
32 registered domestic partner and no second-degree relatives.; and  
33  
34 (4) Any interested person who has requested special notice of the matter under  
35 Probate Code section 2700.

36  
37 ~~(d)(c)~~ **Qualifying changes of conservatee’s residence**

38  
39 The “conservatee’s residence” under (c) is the conservatee’s residence at any time  
40 after appointment of a conservator.

- 41  
42 (1) For purposes of this rule, the following changes qualify as changes of the  
43 conservatee’s residence:

- 1  
2 (A) From a private residence to another private residence;  
3  
4 (B) From a private residence to a residential care facility;  
5  
6 (C) From a residential care facility to a private residence; and  
7  
8 (D) From a residential care facility to another residential care facility.

9  
10 (2) The list in (1) is not intended to be exhaustive.

11  
12 **(e)(d) Use of Judicial Council forms GC-079 and GC-080**

- 13  
14 (1) ~~The *Pre-Move*~~ A conservator must use *Notice of Before Proposed Change of*  
15 *Personal Residence of Conservatee or Ward* (form GC-079) ~~must be used~~ for  
16 the ~~pre-move~~ notice required under (a) and Probate Code section 2352(e)(3)  
17 before a change of residence. The conservator, the conservator’s attorney, or  
18 an employee of the attorney may complete ~~the mailing~~ delivery of notice and,  
19 if applicable, sign and file the proof of Mailing delivery by mail on page 2 of  
20 the form. ~~If the notice is mailed less than 15 days before the date of the move~~  
21 ~~because an emergency requires a shorter period of notice, the basis for the~~  
22 ~~emergency must be stated in the notice.~~  
23  
24 (2) ~~The *Post-Move*~~ A conservator must use *Notice of After Change of Residence*  
25 *of Conservatee or Ward* (form GC-080) ~~must be used~~ for the ~~post-move~~  
26 notice required under ~~(e)~~ (b) and Probate Code section 2352(e)(1) and (2)  
27 after a change of residence. The conservator, the conservator’s attorney, or an  
28 employee of the attorney may complete ~~the mailing~~ delivery of notice and, if  
29 applicable, sign and file the proof of Mailing delivery by mail on page 2 of  
30 the form.

31  
32 **(f)(e) Prior Court approval required to before establishing conservatee’s residence**  
33 **outside California**

34  
35 Notwithstanding any other provision of this rule, ~~prior~~ court approval is required  
36 before a conservator may establish a conservatee’s residence ~~may be established~~  
37 outside the state of California.

38  
39 **(f) Personal residence (Prob. Code, §§ 2352, 2352.5)**

- 40  
41 (1) The “conservatee’s “personal residence,” ~~under (a)~~ for purposes of  
42 determining the least restrictive appropriate residence available and necessary  
43 to meet the needs of the conservatee, is the residence the conservatee

1 understands or believes, or reasonably appears to understand or believe, to be  
2 ~~his or her~~ the conservatee's permanent residence on the date the first petition  
3 for appointment of a conservator was filed in the proceeding, regardless of  
4 whether ~~or not~~ the conservatee is living in that residence on that date. ~~A~~ The  
5 conservatee's personal residence may be a residential care facility, including:

6  
7 (A) A board-and-care home;

8  
9 (B) An intermediate-care facility;

10  
11 (C) A skilled-nursing facility; or

12  
13 (D) A secured-perimeter facility, ~~may be the conservatee's personal~~  
14 ~~residence under this rule.~~

15  
16 (2) If the conservatee cannot form or communicate an understanding or belief  
17 concerning ~~his or her~~ their permanent residence on the date the first petition  
18 for appointment of a conservator was filed in the proceeding, ~~his or her~~ then  
19 the conservatee's personal residence under this rule is the residence ~~he or she~~  
20 ~~last previously~~ the conservatee most recently understood or believed, or  
21 appeared to understand or believe, to be ~~his or her~~ the conservatee's  
22 permanent residence.

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY  <b>DRAFT 012125                  Not approved by                  the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
MATTER OF (name):  <div style="text-align: center;"> <input type="checkbox"/> DECEDENT                        <input type="checkbox"/> CONSERVATEE                        <input type="checkbox"/> WARD                        <input type="checkbox"/> TRUST                 </div>	
<b>REQUEST FOR SPECIAL NOTICE</b>	CASE NUMBER:

1. a.  I am a person interested in this proceeding.  
 b.  I am the attorney for a person interested in this proceeding (specify name of interested person):

2. I request special notice of the following matters (check each applicable box):
- a.  All matters for which special notice may be requested (Do not check boxes (b)–(i).)
  - b.  Inventories and appraisals of property, including supplements
  - c.  Accountings
  - d.  Reports of the status of administration
  - e.  Objections to an appraisal
  - f.  Petitions for the sale of property
  - g.  Spousal or Domestic Partner Property Petition (form DE-221) (Prob. Code, § 13650)
  - h.  Other petitions:
    - (1)  All petitions
    - (2)  The following petitions (specify):

i.  Other matters (specify):

3. Deliver notice  electronically (recipient has filed and served form EFS-005-CV in this case)  by mail to

a.  the interested person at the following address (specify):

b.  the attorney at the following address (specify):

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME)



Attorney for person requesting special notice  
 (client's name):

\_\_\_\_\_  
 (SIGNATURE)

MATTER OF (*name*):

CASE NUMBER:

**NOTE:** You must have your request delivered to the personal representative, conservator, guardian, or trustee, or to that person's attorney. A proof of delivery must accompany this *Request for Special Notice* when it is filed with the court. This page provides a proof of delivery by mail. To show personal delivery, you may use *Proof of Personal Service—Civil* (form POS-020). To show electronic delivery, you may use *Proof of Electronic Service* (form POS-050).

### PROOF OF DELIVERY BY MAIL

1. I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (*specify*):
3. I **delivered** the foregoing *Request for Special Notice* to each person named below by enclosing a copy in an envelope addressed as shown below AND
  - a.  **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
  - b.  **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
4. a. Date of deposit: \_\_\_\_\_ b. Place of deposit (*city and state*): \_\_\_\_\_

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

  
\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

### NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

List of names and addresses continued in attachment.

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:</p> <p>NAME:</p> <p>FIRM NAME:</p> <p>STREET ADDRESS:</p> <p>CITY: STATE: ZIP CODE:</p> <p>TELEPHONE NO.: FAX NO.:</p> <p>EMAIL ADDRESS:</p> <p>ATTORNEY FOR (name):</p>	<p>FOR COURT USE ONLY</p> <p><b>DRAFT 022425</b></p> <p><b>Not approved by</b></p> <p><b>the Judicial Council</b></p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b></p> <p>STREET ADDRESS:</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p> <p>BRANCH NAME:</p>	
<p><input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF THE PERSON <input type="checkbox"/> AND ESTATE</p> <p>OF (name):</p> <p style="text-align: right;"><input type="checkbox"/> CONSERVATEE <input type="checkbox"/> WARD</p>	
<p><b>NOTICE BEFORE PROPOSED CHANGE OF RESIDENCE OF</b></p> <p><input type="checkbox"/> CONSERVATEE <input type="checkbox"/> WARD (name):</p>	<p>CASE NUMBER:</p>

**INFORMATION FOR CONSERVATOR OR GUARDIAN OF THE PERSON**

- (1) **At least 20 days before** a proposed change of a **conservatee's** residence **OR at least 15 days before** a proposed change of a **ward's** residence (unless you can show that an emergency requires a shorter time), you must give notice of the proposed change to the conservatee or, if 12 years of age or older, the ward; the conservatee's or ward's attorney; any interested person who has requested special notice of the matter under Probate Code section 2700; and
  - (a) **in a conservatorship**, the conservatee's spouse or registered domestic partner and the conservatee's relatives within the second degree or—if you do not know of any spouse, registered domestic partner, or second-degree relative—then the persons named in Probate Code section 1821(b)(1)–(4) as the conservatee's “deemed relatives”; or
  - (b) **in a guardianship**, the ward's parents, any person who had legal custody of the ward when the first petition for appointment of a guardian was filed in this case, any guardian of the ward's estate, and any person who was nominated but not appointed as guardian of the ward.
- (2) **Use this form for the notice described in (1).** Deliver a copy of the completed form to each person in (1), as applicable. File the original completed form and proof of delivery with the court. See page 2 of this form for a proof of delivery by mail. If you are guardian of more than one ward in this case, deliver and file a separate notice for each ward who will move.
- (3) You must also give notice to the court and other persons **after** any change of the conservatee's or ward's residence. **Do not use this form for that notice.** Instead, use *Notice After Change of Residence of Conservatee or Ward* (form GC-080).
- (4) **Note:** You must obtain the court's permission before you place the conservatee or ward in a new residence outside of California. Use *Petition to Fix Residence Outside the State of California* (form GC-085) to ask the court for the required permission.

**NOTICE IS GIVEN** as follows:

- 1. I plan to change the residence of the conservatee or ward named above on (date of proposed change):
- 2. The conservatee's or ward's residence address after the change will be (street address, including residence or facility name and room or apartment number, if any, and city, county, and zip code):
- 3. The new residence will be a (describe type of residence or facility, for example, single family home; apartment or condominium; board-and-care home; intermediate-care facility; or skilled-nursing facility):
- 4.  I cannot give at least **20 days'** notice of the proposed change (conservatee) or at least **15 days'** notice of the proposed change (ward) because (explain why the conservatee or ward must change residences before the end of the notice period):

Continued on Attachment 4. (Give the case name and number and the title of this form at the top of the attached page.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF CONSERVATOR OR GUARDIAN)

▶  
 \_\_\_\_\_  
 (SIGNATURE OF CONSERVATOR OR GUARDIAN)





<input type="checkbox"/> CONSERVATORSHIP	<input type="checkbox"/> GUARDIANSHIP	OF THE PERSON	<input type="checkbox"/> AND ESTATE	CASE NUMBER:
OF (name):				
		<input type="checkbox"/> CONSERVATEE	<input type="checkbox"/> WARD	

**ATTACHMENT TO NOTICE BEFORE PROPOSED CHANGE  
OF RESIDENCE OF CONSERVATEE OR WARD**

*(This attachment is for use with form GC-079.)*

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

Name and relationship  
to conservatee or ward

Address (number, street, city, state, and zip code)

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="border: 1px solid black; padding: 2px;">Relationship: <input style="width: 80%;" type="text"/></div>	
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<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="border: 1px solid black; padding: 2px;">Relationship: <input style="width: 80%;" type="text"/></div>	
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<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="border: 1px solid black; padding: 2px;">Relationship: <input style="width: 80%;" type="text"/></div>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="border: 1px solid black; padding: 2px;">Relationship: <input style="width: 80%;" type="text"/></div>	
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<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="border: 1px solid black; padding: 2px;">Relationship: <input style="width: 80%;" type="text"/></div>	
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<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="border: 1px solid black; padding: 2px;">Relationship: <input style="width: 80%;" type="text"/></div>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="border: 1px solid black; padding: 2px;">Relationship: <input style="width: 80%;" type="text"/></div>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div style="border: 1px solid black; padding: 2px;">Relationship: <input style="width: 80%;" type="text"/></div>	

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:</p> <p>NAME:</p> <p>FIRM NAME:</p> <p>STREET ADDRESS:</p> <p>CITY: STATE: ZIP CODE:</p> <p>TELEPHONE NO.: FAX NO.:</p> <p>EMAIL ADDRESS:</p> <p>ATTORNEY FOR (name):</p>	<p>FOR COURT USE ONLY</p> <p><b>DRAFT 021825</b></p> <p><b>Not approved by</b></p> <p><b>the Judicial Council</b></p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b></p> <p>STREET ADDRESS:</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p> <p>BRANCH NAME:</p>	
<p><input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF THE PERSON <input type="checkbox"/> AND ESTATE</p> <p>OF (name): <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> WARD</p>	
<p><b>NOTICE AFTER CHANGE OF RESIDENCE OF</b></p> <p><input type="checkbox"/> CONSERVATEE <input type="checkbox"/> WARD (name):</p>	<p>CASE NUMBER:</p>
<p><b>INFORMATION FOR CONSERVATOR OR GUARDIAN OF THE PERSON</b></p>	
<p>(1) Every time the conservatee or ward changes residences, you must, <b>no more than 30 days after</b> the change, file notice of the change with the court and, unless the court excuses you for good cause to prevent harm to the conservatee or ward, deliver notice to the conservatee's or ward's attorney and</p> <p><b>(a) in a conservatorship</b>, the conservatee's spouse or registered domestic partner and the conservatee's relatives within the second degree or—if you do not know of any spouse, registered domestic partner, or second-degree relative—then the persons named in Probate Code section 1821(b)(1)–(4) as the conservatee's "deemed relatives," and any interested person who has requested special notice of the matter under Probate Code section 2700; or</p> <p><b>(b) in a guardianship</b>, the ward's parents, any person who had legal custody of the ward when the first petition for appointment of a guardian was filed in this case, any guardian of the ward's estate, and any person who was nominated but not appointed as guardian of the ward.</p> <p>(2) <b>Use this form for the notice described in (1).</b> File the completed form with the court. Deliver a copy of the completed form to each appropriate person in (1). Do not deliver a copy to the conservatee or ward. File proof of delivery with the court. There is a proof of delivery by mail on page 2 of this form. If you are guardian of more than one ward in this case, file and deliver a separate notice for each ward who moved.</p> <p>(3) You must also give notice before any change of the conservatee's or ward's residence. <b>Do not use this form for that notice.</b> Instead, use <i>Notice Before Proposed Change of Residence of Conservatee or Ward</i> (form GC-079).</p> <p>(4) <b>Note:</b> You must obtain the court's permission before you place the conservatee or ward in a new residence outside of California. Use <i>Petition to Fix Residence Outside the State of California</i> (form GC-085) to ask the court for the required permission.</p>	

**NOTICE IS GIVEN** as follows:

1. On (date): \_\_\_\_\_, the conservatee or ward named above changed residences to the location in item 2.
2. New residence (name (if facility), street address, city, county, and zip code): \_\_\_\_\_

Telephone number: \_\_\_\_\_ Other contact telephone number, if any (if none, write "None"):

Email address: \_\_\_\_\_

3.  The new residence, identified in item 2, is the least restrictive appropriate residence that is available and necessary to meet the needs of the conservatee or ward and is in the conservatee's or ward's best interests.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF CONSERVATOR OR GUARDIAN)

\_\_\_\_\_  
 (SIGNATURE OF CONSERVATOR OR GUARDIAN)



<input type="checkbox"/> CONSERVATORSHIP	<input type="checkbox"/> GUARDIANSHIP	OF THE PERSON	<input type="checkbox"/> AND ESTATE	CASE NUMBER:
OF (name):				<input type="checkbox"/> CONSERVATEE <input type="checkbox"/> WARD

**ATTACHMENT TO NOTICE AFTER CHANGE OF RESIDENCE OF CONSERVATEE OR WARD**

(This attachment is for use with form GC-080.)

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

Name and relationship  
to conservatee or ward

Address (number, street, city, state, and zip code)

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
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<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE:                      ZIP CODE: TELEPHONE NO.:                      FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;"><b>DRAFT 021825</b>  <b>Not approved by</b>  <b>the Judicial Council</b></p>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> AND ESTATE OF (name): <p style="text-align: right;">CONSERVATEE</p>	
<p style="text-align: center;"><b>NOTICE OF CONSERVATEE'S DEATH</b>  <input type="checkbox"/> <b>AND FUNERAL ARRANGEMENTS</b></p>	CASE NUMBER:

**NOTICE is hereby given that:**

1. The conservatee named above died on (date of death):  
at (city, state):

*(Complete item 2 only if you made funeral, memorial, or burial arrangements for the conservatee named above.)*

2. a.  I, the undersigned conservator of the person, have made funeral or memorial arrangements for the conservatee named above on (date):                      at (time):  
at (address):

b.  I, the undersigned conservator of the person, have made burial arrangements for the conservatee named above on (date):                      at (time):  
at (address):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF CONSERVATOR OF THE PERSON)

▶ \_\_\_\_\_  
(SIGNATURE OF CONSERVATOR OF THE PERSON)

CONSERVATORSHIP OF THE PERSON  AND ESTATE  
OF (name):  
CONSERVATEE

CASE NUMBER:

**NOTE TO CONSERVATOR OF THE PERSON:**

You must deliver copies of this *Notice of Conservatee's Death* (Notice) to the conservator of the estate, the conservatee's spouse or domestic partner, and any person who has requested special notice under Probate Code section 2700. You, an employee in your practice as a professional fiduciary, your attorney in this matter, or an employee in your attorney's office should deliver this Notice electronically to each person who has expressly consented to electronic delivery by completing, delivering, and filing *Consent to Electronic Service and Notice of Electronic Service Address* (form EFS-005-CV) or an equivalent form in this proceeding. You must arrange for delivery in person or by mail to persons who have not completed form EFS-005-CV. You must show the court that copies of this Notice have been delivered in ways the law allows. You do this by completing a proof of delivery, also called "proof of service," and having the person who made the delivery sign the proof of service, which then is filed with the original Notice. This page contains a proof of delivery that may be used only to show electronic delivery. To show personal delivery, you may use *Proof of Personal Service—Civil* (form POS-020). To show delivery by mail, you may use *Proof of Service by First-Class Mail—Civil* (form POS-030).

**PROOF OF ELECTRONIC DELIVERY**

1. I am a resident of, or employed in, the county where the delivery occurred and am
  - a.  the conservator of the person.
  - b.  an employee of the conservator of the person in the conservator's practice as a professional fiduciary.
  - c.  an attorney for the conservator of the person.
  - d.  an employee in the office of an attorney for the conservator of the person of the conservatee named above.
2. My residence or business address is (specify):
3. My electronic service address is (specify):
4. I electronically delivered the foregoing *Notice of Conservatee's Death* to each person named below, as specified.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

\_\_\_\_\_  
(SIGNATURE OF PERSON COMPLETING THIS FORM)

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS DELIVERED**

	<u>Name of person served</u>	<u>Electronic service address</u>	<u>Date of electronic delivery</u>
1.	<input type="text"/>	<input type="text"/>	Date: _____
2.	<input type="text"/>	<input type="text"/>	Date: _____
3.	<input type="text"/>	<input type="text"/>	Date: _____
4.	<input type="text"/>	<input type="text"/>	Date: _____
5.	<input type="text"/>	<input type="text"/>	Date: _____
6.	<input type="text"/>	<input type="text"/>	Date: _____

Continued on an attachment. (You may use form POS-050(P) to show additional persons served electronically.)

**W25-09****Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death** (Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Aderant by Victoria Katz, Senior Rules Attorney	NI	<p>We are writing to bring the Judicial Council’s attention to an apparent inconsistency in the proposed amendment to Rule 7.1063, as set forth in the W25-09 Invitation to Comment.</p> <p>Proposed Rule 7.1063(a)(1) says, “Unless an emergency requires a shorter notice period, a conservator of the person must deliver notice of an intended change of the conservatee’s residence to each person listed below at least <u>20 days</u> before the date of the proposed change and file the original notice form and proof of delivery with the court.” [Emphasis added.]</p> <p>However, proposed Rule 7.1063(a)(3) says, “If the notice is delivered less than <u>15 days</u> before the intended date of the move, the conservator must describe the circumstances that require a shorter notice period.” [Emphasis added.]</p> <p>If the conservator is permitted at least 20 days before the date of the proposed change of residence to deliver notice of the intended change pursuant to Rule 7.1063(a)(1), it seems that the requirement in Rule 7.1063(a)(3) should apply only if the notice is delivered less than 20 days before the intended date of the move.</p> <p>We note that the proposed form GC-079 states in section 4, “I cannot give at least <u>20 days’ notice</u> of the proposed change (conservatee) or at least 15 days’ notice of the proposed change (ward) because (explain why the conservatee or</p>	The committee appreciates this comment and has updated rule 7.1063(a)(3) as suggested.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated



**W25-09****Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death** (Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			ward must change residences before the end of the notice period):....” [Emphasis added.]	
2.	Orange County Bar Association by Mei Tsang, President	A	No further comment.	The committee appreciates the commenter’s review of the proposal. No further response is required.
3.	Superior Court of Los Angeles County by Robert Oftring, Chief Communications and External Affairs Officer	A	<p>The Court believes the proposal appropriately addresses the stated purpose but does not anticipate any cost savings.</p> <p>To implement the proposal, there may be some programming changes to the case management system to auto-accept the notices and create flags to identify the notices. Two months from Judicial Council approval should be sufficient to implement if the Court’s test environment is restored.</p> <p>The Court also believes this proposal will work well in courts of different sizes.</p> <p>For general comments, the Court foresees a potential issue with compliance. It is likely that private professional fiduciaries, particularly those with more experience, will adhere to the rules. However, self-represented litigants may face challenges in meeting the requirements.</p>	<p>The committee appreciates the court’s comments. See below for response to specific comment.</p> <p>The committee recognizes that self-represented conservators and guardians may find it difficult to comply with the new statutory requirements. The committee intends the recommendation to make compliance easier than it would otherwise be.</p>
4.	Superior Court of San Diego County by Mike Roddy, Executive Officer	AM	<p>Q: Does the proposal appropriately address the stated purpose? A: <b>Yes.</b></p>	The committee appreciates the court’s comments. See below for responses to specific comments. No further response is required.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-09**

**Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death** (Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>Q: Would the proposal provide cost savings? If so, please quantify.  <b>A: No.</b></p> <p>Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?  <b>A: Detailed meeting with staff will be required to explain the changes, estimated at 1–2 hours, depending on job classification. For the Business Office clerks, we will need 1 hour to review the changes and for the Courtroom Clerks about 15 minutes. Examiners must become intimately knowledgeable with the new forms and requirements in order to properly examine such forms and answer questions. Court Investigators must also become familiar with the new forms and requirements as they receive numerous questions from conservators regarding such requirements. Additionally, Court Investigators must have enough knowledge of the new requirements to flag noncompliance issues on investigative review reports. The case management system will need to be updated to reflect the change to the form names.</b></p> <p>Q: Would two months from Judicial Council</p>	<p>No further response is required.</p> <p>No further response is required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-09**

**Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death** (Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>approval of this proposal until its effective date provide sufficient time for implementation?  <b>A: Yes.</b></p> <p>Q: How well would this proposal work in courts of different sizes?  <b>A: Courts with higher volume of conservatorship cases will experience greater operational impact. Judicial officers may be required to set more review hearings to check status on the new requirements. Examining staff will be required to produce more probate notes for judges as a result.</b></p> <p><b>General Comments</b></p> <p><b>DE-154/GC-035 – Request for Special Notice</b></p> <p>1) In the case caption, propose changing “Minor” to “Ward” for consistency.</p> <p>2) Item #2.g., the full title of the form DE-221 is Spousal or Domestic Partner Property Petition.</p> <p>3) Item #3, the court’s preference is for the form EFS-005-CV to be filed separately, not attached to this form as a run-on document. Propose removing the verbiage, “attached or.”</p> <p><b>GC-079 – Notice Before Proposed Change of Residence of Conservatee or Ward</b></p>	<p>No further response is required.</p> <p>The committee does not recommend a change in response to this comment, which describes effects of the statutory amendments in SB 1106 on court operations.</p> <p>The committee agrees with the suggestion and has changed “minor” to “ward” in the caption of this form.</p> <p>The committee has revised the reference to form DE-221 to state that form’s full title.</p> <p>The committee agrees and has modified item 3 of the proposed form to remove the reference to attaching form EFS-005-CV.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-09**

**Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death** (Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>1) In the case caption, propose changing “Minor” to “Ward” for consistency.</p> <p>2) Propose keeping existing language, “Pre-Move.” Changing to “Before” does not provide additional clarity.</p> <p>3) In the Information for Conservator or Guardian of the Person section, Item #4, the “Note” should include the title of the form needed to obtain the Court’s permission to change the residence to outside of California, (Petition to Fix Residence Outside the State of California (form GC-085)).</p> <p><b>GC-079(MA) – Attachment to Notice Before Proposed Change of Residence of Conservatee or Ward</b></p> <p>1) In the case caption, propose changing “Minor” to “Ward” for consistency.</p> <p>2) Propose keeping existing language, “Pre-Move.” Changing to “Before” does not provide additional clarity.</p> <p><b>GC-080 – Notice After Proposed Change of Residence of Conservatee or Ward:</b></p> <p>1) In the case caption, propose changing “Minor” to “Ward” for consistency.</p>	<p>See response to the same comment about form DE-154/GC-035.</p> <p>The committee does not recommend the suggested change. “Before” and “after” are routinely used plain English terms. Self-represented litigants and nonprofessional conservators are more likely to be familiar with these terms than the neologisms “pre-move” and “post-move” and so better able to use and understand them.</p> <p>The committee agrees and has modified the form accordingly. To create space for the reference to the form, the committee recommends removing the references to the rules of court in items (2) and (3) of the instructions. The form footer still refers to rules 7.1013 and 7.1063.</p> <p>See response to the same comment about form DE-154/GC-035.</p> <p>See response to the same comment about form GC-079.</p> <p>See response to the same comment about form DE-154/GC-035.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-09**

**Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death** (Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>2) Propose keeping existing language, “Post-Move.” Changing to “After” does not provide additional clarity.</p> <p>3) In the Information for Conservator or Guardian of the Person section, Item #4, the “Note” should include the title of the form needed to obtain the Court’s permission to change the residence to outside of California, (Petition to Fix Residence Outside the State of California (form GC-085)).</p> <p><b>GC-080(MA) – Attachment to Notice After Proposed Change of Residence of Conservatee or Ward:</b></p> <p>1) In the case caption, propose changing “Minor” to “Ward” for consistency.</p> <p>2) Propose keeping existing language, “Post-Move.” Changing to “After” does not provide additional clarity.</p> <p><b>GC-399 – Notice of Conservatee’s Death</b></p> <p>1) Propose removing the checkbox for “And Funeral Arrangements” to the title of the form as it is unnecessary.</p>	<p>See response to the analogous comment about form GC-079.</p> <p>See response to the same comment about form GC-079.</p> <p>See response to the same comment about form DE-154/GC-035.</p> <p>See response to the analogous comment about form GC-079.</p> <p>The committee acknowledges that the checkbox in the caption is not strictly necessary but does not recommend removing it. The checkbox may help to alert a nonprofessional conservator that they are not required to give notice of a deceased conservatee’s funeral arrangements unless they themselves have made those arrangements. It also allows recipients to quickly determine the scope of the information included in the form. The</p>

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**W25-09**

**Probate Conservatorship and Guardianship: Notice of Change of Residence and Notice of Death** (Amend rules 7.1013 and 7.1063; revise forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
				committee has, however, modified its recommendation to clarify the conservator’s duties with respect to completing item 2 under Probate Code section 2361(b).
5.	Trial Court Presiding Judges Advisory Committee (TCPJAC)/Court Executives Advisory Committee (CEAC) (TCPJAC/CEAC Joint Rules Subcommittee)	A	<p>The JRS notes that the proposal is required to conform to a change of law.</p> <p>The JRS also notes the following impact to court operations:</p> <ul style="list-style-type: none"> <li>● Impact on existing automated systems. <ul style="list-style-type: none"> <li>○ Requires mandated reprogramming of digital case management systems to address legislative changes which include reformatting of forms and creating new court hearing types.</li> </ul> </li> <li>● Results in additional training, which requires the commitment of staff time and court resources. <ul style="list-style-type: none"> <li>○ Requires training of court staff and judges and implementation of new court hearings based on legislative changes.</li> </ul> </li> <li>● Increases court staff workload. <ul style="list-style-type: none"> <li>○ Results in an increased number of notices delivered and filed which will result in a larger number of court hearings to litigate issues.</li> <li>○ Requires replacement of outdated forms</li> </ul> </li> </ul>	The committee appreciates these comments. No further response is required.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Recommend JC approval (has circulated for comment)**

**Title of proposal:** Decedents' Estates: Succession to Real Property of Small Value

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*  
Revise forms DE-300, DE-305, DE-310, and DE-315

*Committee or other entity submitting the proposal:*  
Probate and Mental Health Advisory Committee

*Staff contact (name, phone and email):* Corby Sturges, 415-865-4507, corby.sturges@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): October 22, 2024

Project description from annual agenda: 5. The committee will develop a recommendation for revisions to forms DE-310 and DE-315 to conform to changes made by Assembly Bill 2016 (Maienschein; Stats. 2024, ch. 331) to the statutory process for determining succession to a decedent's real property located in California if the value of the estate falls below a specified amount.

See also 4. The committee will develop a recommendation to adjust the dollar amounts used to determine eligibility for succession to property without administration and revise the forms that include those amounts. Probate Code section 890 requires the Judicial Council, once every three years on April 1, to adjust specified property values used for determining eligibility for succession to a decedent's property without full administration and to publish a list of those values. The last adjustment and revision took effect April 1, 2022; the next is due April 1, 2025. In addition, Assembly Bill 2016 (Maienschein; Stats. 2024, ch. 331) requires a specific adjustment to one of these amounts on the same date.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

The advisory committee requested circulation of this proposal in the Winter 2025 cycle. Assembly Bill 2016, which this proposal implements, took effect January 1, 2025, but its adjustment of the dollar amounts in forms DE-310 and DE-315 takes effect on April 1, 2025, the same date as adjustments required by Probate Code section 890 that affect amounts on forms DE-300 and DE-305. Because the revisions to forms DE-300 and DE-305 are technical and depend on data published in mid-January, the committee did not ask to circulate them for comment. After obtaining the necessary data and calculating the adjusted amounts using the statutory formula, staff updated the amounts on forms DE-300 and DE-305, and the committee has included them in its recommendation. Staff will publish all the adjusted amounts on the web on April 1. To update the forms in time for their use in proceedings to succeed to property of decedents who die on or after April 1, the committee requests an April 28, 2025, effective date.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) February 13, 2025

approved by Office Director (or Designee) (name) Audrey Fancy  
on (date) February 13, 2025

*If either of above not checked, explain why:*

Complete the following for all reports to be submitted to council (optional for ITCs):

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
- includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.





# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-075*

For business meeting on April 25, 2025

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Title	Report Type
Decedents' Estates: Succession to Property of Small Value	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise forms DE-300, DE-305, DE-310, DE-315	April 28, 2025
Recommended by	Date of Report
Probate and Mental Health Advisory Committee	February 24, 2025
Hon. Jayne Chong-Soon Lee, Chair	Contact
	Corby Sturges, 415-865-4507
	<a href="mailto:Corby.Sturges@jud.ca.gov">Corby.Sturges@jud.ca.gov</a>

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### Executive Summary

In response to a mandate in Probate Code section 890 and amendments to other sections of the code enacted by Assembly Bill 2016 (Stats. 2024, ch. 455), the Probate and Mental Health Advisory Committee recommends revising four forms used in summary proceedings for determining succession to property of small value. The recommended revisions update forms DE-310 and DE-315 to reflect the narrowed scope of the statutory petition procedure for succession to real property and indicate the increased threshold value below which property must fall to be eligible for this procedure. The revisions also update forms DE-300 and DE-305 to reflect adjustments required by Probate Code section 890 to the threshold values applicable to other statutory succession procedures.

### Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective April 28, 2025:

1. Revise *Maximum Values for Small Estate Set-Aside & Disposition of Estate Without Administration* (form DE-300) to delete the dollar amounts that apply to property of a

decedent who died before April 1, 2022, add the adjusted amounts that apply to property of a decedent who died on or after April 1, 2025, and make technical changes;

2. Revise *Affidavit re Real Property of Small Value* (form DE-305) to add the adjusted amount that applies to property of a decedent who died on or after April 1, 2025;
3. Revise *Petition to Determine Succession to Real Property* (form DE-310) to retitle it *Petition to Determine Succession to Primary Residence*, exclude all property except a decedent's primary residence in California from the scope of the form's application, add the \$750,000 maximum value of the residence applicable if the owner dies on or after April 1, 2025, and make technical and conforming changes; and
4. Revise *Order Determining Succession to Real Property* (form DE-315) to retitle it *Order Determining Succession to Primary Residence*, exclude all property except a decedent's primary residence in California from the scope of the form's application, add the \$750,000 maximum value of the residence applicable if the owner dies on or after April 1, 2025, and make technical and conforming changes.

The proposed revised forms are attached at pages 7–12.

### **Relevant Previous Council Action**

The council initially approved forms DE-305, DE-310, and DE-315 for optional use, effective July 1, 1987, in response to legislation that created the procedures for succession to smaller estates. All were converted to mandatory forms, effective January 1, 2000, at the same time as all Judicial Council probate forms then in existence. These forms have been revised several times since their initial approval.

Effective January 1, 2020, the council revised forms DE-305, DE-310, and DE-315 to update the maximum property values in response to statutory adjustments enacted by Assembly Bill 473 (Stats. 2019, ch. 122). Effective April 1, 2022, the council adopted form DE-300 and revised forms DE-305, DE-310, and DE-315 to publish the amounts adjusted according to the formula in Probate Code section 890 and apply them to the procedures that require court filings.<sup>1</sup>

### **Analysis/Rationale**

Several sections of the Probate Code authorize the use of summary procedures to determine that a person has succeeded to one or more pieces of property owned by a decedent as long as the value of the property or, in some cases, the decedent's estate as a whole falls below an amount specified in each statute.<sup>2</sup> Until 2020, the Legislature periodically adjusted the amounts of the

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Rules and Forms: Small Estate Disposition* (Feb. 23, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=10564750&GUID=F84A8EC1-DC5B-4B42-B226-8003E3C7703D>.

<sup>2</sup> These procedures are specified primarily in sections 6600–6613 (small estate set-aside) and sections 13000–13660 (disposition of estate without administration). All further statutory references are to the Probate Code.

maximum values by amending the statutes containing them. In 2019, the Legislature enacted Assembly Bill 473 (Stats. 2019, ch. 122), which used statutory amendment to adjust these amounts one last time, effective January 1, 2020.

Section 1 of AB 473 added section 890 to the Probate Code. That provision requires the Judicial Council, every three years beginning April 1, 2022, to use a statutory formula to adjust the dollar amounts setting the maximum value of property eligible for succession by summary procedures under specified sections of the code and publish those amounts. (See § 890(b)–(c).) The council made those adjustments for the first time in 2022 as described in the previous section.

The committee anticipated simply recommending revising the four forms in this proposal again this year to publish the amounts adjusted using the formula required by section 890. Assembly Bill 2016 (Stats. 2024, ch. 331), however, made two changes that require other revisions to forms DE-310 and DE-315.

First, effective January 1, 2025, AB 2016 narrowed the scope of the procedure used to claim succession to a decedent’s real and personal property under sections 13150–13157.<sup>3</sup> The bill excluded from this procedure all real property other than the decedent’s “primary residence in this state” and all personal property.<sup>4</sup> Second, AB 2016 also, effective April 1, 2025, increased to \$750,000 the maximum value of the residence eligible for a proceeding under section 13150 et seq., to be further adjusted every three years according to the procedure in section 890.<sup>5</sup>

The committee therefore recommends revising forms DE-310 and DE-315 to specify that the property that is the subject of the petition is the decedent’s primary residence in California, remove references to succession to personal property, add an opportunity to indicate that the value of the subject real property is less than \$750,000 if it belonged to a decedent who died on or after April 1, 2025, and make technical and conforming changes. The committee also recommends technical revisions to *Maximum Values for Small Estate Set-Aside & Disposition of Estate Without Administration* (form DE-300) and *Affidavit re Real Property of Small Value* (form DE-305) to reflect the amount adjusted by AB 2016 and other amounts adjusted according to the requirements in section 890. All adjusted amounts took effect April 1, 2025, and were published on that date on the Self-Help Guide to the California Courts.

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<sup>3</sup> AB 2016 amended sections 13150, 13151, 13152, and 13154 and repealed section 13158. The bill also amended sections 13100 and 13101, which govern the affidavit procedure for collection or transfer of *personal* property. The property used to determine eligibility for that procedure no longer includes “any property included in a petition filed under Section 13151.” Because the affidavit used in this procedure is not submitted to the court but is instead given directly to the holder of the property to be collected, there is no applicable Judicial Council affidavit form.

<sup>4</sup> See, e.g., Stats. 2024, ch. 331, § 4, amending § 13151. The amendments have the peculiar effect of allowing a decedent to have more than one “primary residence” but only one such residence in California. The bill’s author and sponsor recognized and accepted this effect.

<sup>5</sup> See § 13152(f)(3)–(4).

## **Policy implications**

The recommended action is needed to conform to changes in the law and to comply with a legislative mandate. In addition, the revisions to the forms will improve the quality of service to the public.

## **Comments**

The recommended revisions circulated for public comment in the winter 2025 invitation-to-comment cycle. The committee received 10 comments. Seven commenters agreed with the proposal as circulated. Some of those commenters noted potential effects of the statutory amendments without suggesting changes to the proposal. Two commenters did not indicate a position. One, a court, asked for guidance on a timing issue, and the other, an attorney, suggested changes. One commenter did not agree with the proposal, but that commenter's concerns were based on perceived effects of the statutory amendments, not on proposed changes to the forms. A chart of all comments received and committee responses is attached at pages 13–21.

The Superior Court of Orange County asked for guidance on processing petitions received on existing form DE-310 between April 1 and April 27, 2025, when the form would have “an incorrect dollar amount.” The court is correct that the new limit of \$750,000 takes effect April 1, 2025, and the form revisions are not proposed to take effect until April 28. Those dates do not, however, control the application of the adjusted amounts. Instead, the date of death of the decedent whose property is the subject of the proceedings controls that application. The new, higher amount applies only to property of a decedent who dies on or after April 1, 2025. For the property of a decedent who dies or died before April 1, 2025, the current maximum amounts continue, and will continue, to govern: if the decedent died before April 1, 2022, the maximum is \$166,250; if the decedent died between April 1, 2022, and March 31, 2025, the maximum is \$184,500. Furthermore, a petitioner may not file a petition under section 13151 using form DE-310 until 40 days have passed since the decedent's death. The first day that a petitioner could file using the new amount would therefore be Monday, May 12, 2025. The proposed revisions will, if approved, take effect two weeks before then. The current version of form DE-310 will list the correct dollar amounts for all petitions properly filed between April 1 and April 27, 2025. The committee does not therefore expect the court to receive any petitions on forms with an incorrect dollar amount in that period.

Another commenter suggested several changes to the forms. First, he suggested restoring the references to real property other than the decedent's primary residence and to personal property on forms DE-310 and DE-315. The committee does not recommend this change, as the authority to file and grant a petition to succeed to real property other than a decedent's primary residence and attendant personal property was repealed, effective January 1, 2025. Any petition filed after

that date is subject to current Probate Code section 13151, which authorizes a petition for determination of succession only to a decedent's primary residence in California.<sup>6</sup>

This commenter also suggested removing the checkbox from item 3 on form DE-310. That item affirms that at least 40 days have passed since the decedent's death. The committee has modified its recommendation to make the suggested change. Checkboxes are typically used when a form asks the person completing it to make a choice. In this case, however, the form should not present a choice. If 40 days have not passed since the decedent's death, the petitioner may not file the petition at all.

Finally, this commenter raised questions about the use of form DE-120 to give the "notice of the petition" required by section 13151(b). Because form DE-120 includes the title and a description of the petition as well as the date of hearing, the committee believes that a petitioner may use form DE-120 to satisfy the requirements of both 13151(b) (to give notice of the petition to heirs and devisees named in the petition) and 13153 (to give notice of the hearing on the petition to all persons named in the petition). Assuming the clerk sets the petition for hearing when it is filed, as required by Probate Code section 1041, a strategic petitioner could comply with both requirements in a single notice given to all persons named in the petition no later than five days after filing. This time frame would almost always comply with the requirement in section 1220—which governs notice under section 13153—of a 15-day notice period before the hearing.

The committee did not solicit public comment on the recommended revisions to forms DE-300 and DE-305 because the Judicial Council has authority to approve those revisions without circulation under California Rules of Court, rule 10.22(d)(2).

### **Alternatives considered**

The committee did not consider taking no action, because existing forms DE-310 and DE-315 would have been inconsistent with Probate Code sections 13150–13157, as amended by AB 2016. Furthermore, Probate Code section 890 mandates that the Judicial Council adjust the amounts used on forms DE-300 and DE-305 every three years by applying the statutory formula. The most recent adjustment must occur on April 1, 2025. Declining to revise the forms would have left litigants without legally accurate forms for use in summary proceedings to determine succession to property of decedents who died on or after April 1, 2025.

The committee also considered deferring the proposed substantive revisions to forms DE-310 and DE-315 until the spring 2025 invitation-to-comment cycle but concluded that such a delay would unnecessarily burden both litigants and courts by leaving inaccurate forms in use and

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<sup>6</sup> The proper disposition of a form DE-310 petition filed before January 1, 2025, but not yet disposed of by the court raises interesting issues. See § 3(d) (order issued after operative date of new law concerning petition filed before new law's operative date governed by new law). But see § 3(g) (if new law does not apply to matter that occurred before operative date, old law continues to govern matter notwithstanding old law's amendment or repeal by new law), 3(h) (court has discretion to apply either old law or new law if application of the other would "substantially interfere" with rights of parties or interested persons in connection with event that occurred before new law's operative date). Fortunately, they are beyond the scope of this proposal.

requiring an additional round of revisions that could be avoided by combining them with the triennial adjustment of amounts.

### **Fiscal and Operational Impacts**

Commenters noted that courts will need to train staff on the limits of the amended procedure under sections 13150–13157 and program their case management systems to accept filing of revised forms DE-305 and DE-310. Courts may also see an increase in filings as more residences will be eligible for the summary succession procedure when the threshold value increases. The increase should be gradual, however, as the adjusted value will apply only to residences of decedents who die on or after April 1, 2025. The costs associated with the recommended form revisions result from the underlying statutory requirements.

### **Attachments and Links**

1. Forms DE-300, DE-305, DE-310, and DE-315, at pages 7–12
2. Chart of comments, at pages 13–21
3. Attachment A: Calculation of Limits on Value of Property or Estates Eligible for Disposition Without Administration
4. Link A: Assem. Bill 2016 (Stats. 2024, ch. 455),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB2016](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2016)
5. Link B: Assem. Bill 473 (Stats. 2019, ch. 122),  
[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200AB473](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB473)

**MAXIMUM VALUES FOR SMALL ESTATE SET-ASIDE  
& DISPOSITION OF ESTATE WITHOUT ADMINISTRATION**

This form lists the maximum dollar values of a decedent's estate or specific property in that estate, *as of the date of the decedent's death*, for purposes of determining eligibility for

- (1) an order setting the estate aside for the decedent's surviving spouse and minor children; or
- (2) disposition of the estate or specific real or personal property in the estate informally, without full administration.

**NOTE:** The values in the left column apply to property of a decedent who died between April 1, 2022, and March 31, 2025. The values in the right column apply to property of a decedent who died on or after April 1, 2025. To find the values that apply to property of a decedent who died before April 1, 2022, see the Self-Help Guide to the California Courts at <https://selfhelp.courts.ca.gov/>.

The amount of the adjustment of the prior values is based on the change in the United States city average of the Consumer Price Index for All Urban Consumers for the three-year period ending December 31, 2024, with each adjusted value rounded to the nearest \$25. (See Prob. Code, § 890(b).) Unless otherwise provided by statute after April 1, 2025, these values will next be adjusted April 1, 2028.

<u>Probate Code Section</u>	<u>Description</u>	<u>Amount (death between Apr. 1, 2022, and Mar. 31, 2025)</u>	<u>Amount (death on or after Apr. 1, 2025)</u>
<b>1. SMALL ESTATE SET-ASIDE UNDER PROBATE CODE SECTIONS 6600–6613</b>			
§§ 6602, 6609	The net value of the decedent's estate, excluding all liens and encumbrances at the date of death and the value of any probate homestead set apart under Probate Code section 6520, must not exceed:	\$ 95,325	\$ 107,900
<b>2. DISPOSITION OF ESTATE WITHOUT ADMINISTRATION UNDER SECTIONS 13000–13606</b>			
<b>a. PROPERTY EXCLUDED FROM DETERMINING VALUE OF ESTATE</b>			
§ 13050(c)	The amount of any salary or other compensation owed to the decedent for personal services from any employment, not to exceed:	\$ 18,450	\$ 20,875
<b>b. AFFIDAVIT FOR COLLECTION, RECEIPT, OR TRANSFER OF PERSONAL PROPERTY</b>			
§§ 13100, 13101	The gross value of the decedent's real and personal property in California— excluding any property described in Probate Code section 13050 and any property included in a petition filed under Probate Code section 13151—must not exceed:	\$ 184,500	\$ 208,850
<b>c. PETITION &amp; COURT ORDER DETERMINING SUCCESSION TO PRIMARY RESIDENCE</b>			
§§ 13151, 13152, 13154	The gross value of the decedent's primary residence in California must not exceed:	\$ 184,500	\$ 750,000
<b>d. AFFIDAVIT FOR SUCCESSION TO REAL PROPERTY OF SMALL VALUE</b>			
§ 13200	The gross value of all real property in the decedent's estate located in California— excluding any real property described in Probate Code section 13050—must not exceed:	\$ 61,500	\$ 69,625
<b>e. AFFIDAVIT FOR COLLECTION OF COMPENSATION OWED TO DECEASED SPOUSE</b>			
§§ 13600, 13601	Net salary or other compensation owed, in aggregate, by one or more employers for personal services of the deceased spouse, must not exceed: <i>(This limit does not apply if the decedent was a firefighter or peace officer described in Government Code section 22820(a).)</i>	\$ 18,450	\$ 20,875

**NOTICE**

If the decedent died on or after April 1, 2022, this form must be attached to

- an affidavit or declaration furnished under Probate Code section 13101;
- a *Petition to Determine Succession to Primary Residence* (form DE-310) filed under Probate Code section 13151;
- an *Affidavit re: Real Property of Small Value* (form DE-305) filed under Probate Code section 13200; or
- an affidavit or declaration furnished under Probate Code section 13601.

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.:  
 After recording, return to:  
 NAME:  
 FIRM NAME:  
 STREET ADDRESS:  
 CITY, STATE, ZIP CODE:  
 TELEPHONE NO.: FAX NO.:  
 EMAIL ADDRESS:  
 ATTORNEY FOR (name):

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF**  
 STREET ADDRESS:  
 MAILING ADDRESS:  
 CITY AND ZIP CODE:  
 BRANCH NAME:

FOR RECORDER'S USE ONLY

ESTATE OF (name):  
 DECEDENT

CASE NUMBER:

**AFFIDAVIT RE REAL PROPERTY OF SMALL VALUE**

FOR COURT USE ONLY

1. The decedent (name):  
 died on (date):  
 at (city, state):
2. At least **six months** have passed since the decedent's death. (Attach a certified copy of the decedent's death certificate.)
3. a.  The decedent was domiciled in this county at the time of death.  
 b.  The decedent was **not** domiciled in California at the time of death, but the decedent died owning real property in this county.
4. The **gross value**, on the date of the decedent's death, of all real property in the decedent's estate located in California, as shown by the attached inventory and appraisal—excluding the real property described in Probate Code section 13050—did not exceed (check one):  
 a.  **\$55,425** (decedent died before April 1, 2022).  
 b.  **\$61,500** (decedent died on or after April 1, 2022, and before April 1, 2025. Form DE-300 is attached as required by law).  
 c.  **\$69,625** (decedent died on or after April 1, 2025. Form DE-300 is attached as required by law).
5. a. The **legal description** and the Assessor's Parcel Number of the particular item of the decedent's real property claimed by the declarant(s) are provided on an attached page titled Attachment 5a [legal description of real property]. (Copy legal description **exactly** from deed or other legal instrument.)  
 b. The decedent's interest in this real property is (specify):

6. Name and address of each guardian or conservator of the decedent's estate at time of death:  none  are as follows:\*

<u>Name</u>	<u>Address</u>
-------------	----------------

Additional guardians or conservators are identified in Attachment 6.  
 (\* You must deliver a copy of this affidavit and all attachments in any manner provided in Probate Code section 1215 to each guardian or conservator named above. You may use Judicial Council form POS-030 for proof of mailing, form POS-020 for proof of personal delivery, or form POS-050 for proof of electronic delivery.)

7. An inventory and appraisal of all of the decedent's **real property** in California is attached. The appraisal was made by a probate referee appointed by the State Controller for the county in which the property is located. (You must prepare the inventory on Judicial Council forms DE-160 and DE-161. You may select any probate referee appointed for the county to perform the appraisal. A list of all probate referees, shown by county, is available at [www.sco.ca.gov/eo\\_probate\\_contact.html](http://www.sco.ca.gov/eo_probate_contact.html). Each court also has a list of referees appointed for its county. Check with the probate referee or consult an attorney if you need help preparing the inventory.)
8. a.  No proceeding for administration of decedent's estate is now being or has been conducted in California.  
 b.  The decedent's personal representative has consented in writing to the use of the procedure provided by Probate Code section 13200 et seq. (Attach a copy of the consent and a copy of the personal representative's letters of administration.)



ESTATE OF <i>(name)</i> :	CASE NUMBER:
DECEDENT	

9. Funeral expenses, expenses of last illness, and all known unsecured debts of the decedent have been paid. **(NOTE: You may be personally liable for decedent's unsecured debts up to the fair market value of the real property and any income you receive from it.)**
10. The declarant—or a trust or other entity, on behalf of which the declarant is acting—is, or all declarants together constitute, the successor of the decedent (as defined in Probate Code section 13006) to the decedent's interest in the property described in item 5, and no other person or entity has a superior right to the decedent's interest in that property, because the declarant is:
- a.  **(if decedent left a will)** the sole beneficiary or all the beneficiaries who succeeded to the property under the decedent's will. *(Attach a copy of the will.)*
  - b.  **(if decedent died without a will)** the sole person or all the persons who succeeded to the property under Probate Code sections 6401 and 6402.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

(TYPE OR PRINT NAME)\*

▶

(SIGNATURE OF DECLARANT)

Date: \_\_\_\_\_

(TYPE OR PRINT NAME)\*

▶

(SIGNATURE OF DECLARANT)

SIGNATURES OF ADDITIONAL DECLARANTS ATTACHED

**\* A declarant claiming on behalf of a trust or other entity should also state the name of the entity that is a beneficiary under the decedent's will and declarant's capacity to sign on behalf of the entity (trustee, chief executive officer, etc.).**

**CERTIFICATE OF ACKNOWLEDGMENT**

*(NOTE: Do not use a small strip of paper to attach an additional certificate of acknowledgment to this page. If you need one or more additional certificates of acknowledgment, attach each one to this form on a separate, full-sized 8-1/2 by 11-inch page.)*

**A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of the document.**

STATE OF CALIFORNIA, COUNTY OF *(specify)*:  
On *(date)*: \_\_\_\_\_, before me *(name and title)*:

personally appeared *(name of each)*:  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that they executed the instrument in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
(SIGNATURE OF NOTARY PUBLIC)

(NOTARY SEAL)

(SEAL)

**CLERK'S CERTIFICATE**

I certify that the foregoing, including any attached certificates of acknowledgment and any attached legal description of the property (but excluding other attachments), is a true and correct copy of the original affidavit on file in my office. *(Certified copies of this affidavit do not include the (1) death certificate, (2) will, or (3) inventory and appraisal. (See Prob. Code, § 13202.)*

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY  <b>DRAFT 020625</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
ESTATE OF (name):   <div style="text-align: right;">DECEDENT</div>	CASE NUMBER:   HEARING DATE AND TIME: DEPT.:
<b>PETITION TO DETERMINE SUCCESSION                  TO PRIMARY RESIDENCE</b>	

1. Petitioner (name of each person claiming an interest):

**requests** a determination that the real property described in item 11 **was the decedent's primary residence in California** and is property passing to petitioner.

2. Decedent (name):

- a. Date of death:
- b. Place of death (city and state or, if outside the United States, city and country):

3. At least 40 days have passed since the decedent's death.

- 4. a.  Decedent was a resident of this county at the time of death.
- b.  Decedent was **not** a resident of California at the time of death. Decedent died owning property in this county.

5. Decedent died  intestate (without a will)  testate (with a will), and a copy of the will is attached as Attachment 5 or 12a.

- 6. a.  No proceeding for the administration of decedent's estate is being conducted or has been conducted in California.
- b.  Decedent's personal representative's consent to use the procedure provided by Probate Code section 13150 et seq. is attached as Attachment 6b.

7. Proceedings for the administration of decedent's estate in another jurisdiction

- a.  have **not** been commenced.
- b.  have been commenced  and completed. (Specify state, county, court, and case number):

8. The **gross value**, at the time of decedent's death, of decedent's interest in **the real property described in item 11**, as shown by the attached appraisal, did not exceed (check one):

- a.  **\$166,250** (decedent died before April 1, 2022).
  - b.  **\$184,500** (decedent died on or after April 1, 2022, and before April 1, 2025. Form DE-300 is attached as required by law).
  - c.  **\$750,000** (decedent died on or after April 1, 2025, and before April 1, 2028. Form DE-300 is attached as required by law).
- (Prepare and attach as Attachment 8 an appraisal of the property described in item 11. (Use Judicial Council forms DE-160 and DE-161.) A probate referee appointed for the county named above must perform the appraisal. (See Prob. Code, §§ 8901, 8902.))

9. a. Decedent is survived by (check items (1) or (2), and (3) or (4), and (5) or (6), and (7) or (8)):

- (1)  spouse
- (2)  no spouse, as follows: (a)  divorced or never married (b)  spouse deceased
- (3)  registered domestic partner
- (4)  no registered domestic partner (See Fam. Code, § 297.5(c); Prob. Code, §§ 37(b), 6401(c), and 6402.)
- (5)  child, as follows: (a)  natural or adopted (b)  natural, adopted by a third party
- (6)  no child
- (7)  issue of a predeceased child
- (8)  no issue of a predeceased child

b. Decedent  is  is not survived by a stepchild or foster child or children who would have been adopted by decedent if a legal barrier had not prevented adoption. (See Prob. Code, § 6454.)

ESTATE OF <i>(name)</i> :	CASE NUMBER:
DECEDENT	

10.  Decedent is survived by *(complete if decedent is survived by (1) a spouse or registered domestic partner described in Probate Code section 37 but no issue (only a or b apply); or (2) no spouse or registered domestic partner described in Probate Code section 37 and no issue. Check only the first box that applies.)*
- a.  a parent or parents who are listed in item 14.
  - b.  a sibling, or issue of a deceased sibling, all of whom are listed in item 14.
  - c.  other persons who might be entitled to inherit property if decedent did not have a will, all of whom are listed in item 14.
  - d.  no known next of kin.
11. Attachment 11 contains (1) the **legal description** and the Assessor's Parcel Number of the real property claimed in this petition; (2) a statement of decedent's interest in the property, including facts that show that the property was decedent's primary residence in California; and (3) if any petitioner's claim to the property is based on succession under Probate Code sections 6401 and 6402, facts that show **whether** the property was community, separate, or quasi-community property.
12. Each petitioner is a successor of the decedent (as defined in Probate Code section 13006) and successor to the decedent's interest in the **real property** described in item 11 because each petitioner is
- a.  **(will)** a beneficiary who succeeded to that property under decedent's will, and a copy of the will is attached as Attachment 5 or 12a.
  - b.  **(no will)** a person who succeeded to that property under Probate Code sections 6401 and 6402.
13. The interest of each petitioner in the **property described in item 11**  is stated in Attachment 13  is as follows *(specify)*:
14. The names, relationships to decedent, ages, and residence or mailing addresses, as far as known to or reasonably ascertainable by petitioner, of (1) all persons named or checked in items 1, 9, and 10; (2) all other persons who may be entitled to inherit decedent's property in the absence of a will; and (3) all persons designated in the will to receive any property are listed in Attachment 14.
15. The names and addresses of all executors named in decedent's will are  listed below  listed in Attachment 15.
- No executor is named.  There is no will.
16.  Petitioner is the trustee of a trust designated in decedent's will to receive property. The names and addresses of all persons interested in the trust, as determined in cases of future interests under Probate Code section 15804(a)(1), (2), or (3), are listed in Attachment 16.
17.  Decedent's estate was under a  guardianship  conservatorship at decedent's death. The names and addresses of all persons serving as guardian or conservator  are listed below  are listed in Attachment 17.

18. Number of pages attached: \_\_\_\_\_

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF ATTORNEY)



\_\_\_\_\_  
(SIGNATURE OF ATTORNEY)\*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF PETITIONER)



\_\_\_\_\_  
(SIGNATURE OF PETITIONER)\*

\_\_\_\_\_  
(TYPE OR PRINT NAME OF PETITIONER)



\_\_\_\_\_  
(SIGNATURE OF PETITIONER)\*

SIGNATURE(S) OF ADDITIONAL PETITIONERS ATTACHED

\* Each petitioner (i.e., each person named in item 1) must sign this form. (Prob. Code, § 1020.) If more than 2 petitioners, check the box above and use an attachment.

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NO.:  
 After recording, return to:  
 NAME:  
 FIRM NAME:  
 STREET ADDRESS:  
 CITY, STATE, ZIP CODE:  
 TELEPHONE NO.: FAX NO.:  
 EMAIL ADDRESS:  
 ATTORNEY FOR (name):

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**SUPERIOR COURT OF CALIFORNIA, COUNTY OF**  
 STREET ADDRESS:  
 MAILING ADDRESS:  
 CITY AND ZIP CODE:  
 BRANCH NAME:

**DRAFT 020625**  
**Not approved by**  
**the Judicial Council**

FOR RECORDER'S USE ONLY

ESTATE OF (name):	CASE NUMBER:
DECEDENT	

**ORDER DETERMINING SUCCESSION  
TO PRIMARY RESIDENCE**

FOR COURT USE ONLY

- Date of hearing: \_\_\_\_\_ Time: \_\_\_\_\_  
 Dept./Room: \_\_\_\_\_  
 Judicial Officer (name): \_\_\_\_\_
- THE COURT FINDS**
- Notice has been given as required by law.
- Decedent died on (date):  
 a.  a resident of this county.  
 b.  a nonresident of California who owned property in this county.  
 c.  intestate (without a will)  testate (with a will).
- At least 40 days have passed since the decedent's death.
- a.  No proceeding for the administration of the decedent's estate is now being or has been conducted in California.  
 b.  Decedent's personal representative has consented in writing to use the procedure in Probate Code section 13150 et seq.
- The gross value of the real property described in item 9a does not exceed  
 \$166,250 (death before April 1, 2022).  
 \$184,500 (death on or after April 1, 2022, and before April 1, 2025).  
 \$750,000 (death on or after April 1, 2025).
- Each petitioner is a successor of the decedent (as defined in Probate Code section 13006) to the decedent's interest in the real property described in item 9a because each petitioner is (check one):  
 a.  (will) a beneficiary who succeeded to the property under decedent's will.  
 b.  (no will) a person who succeeded to the property under Probate Code sections 6401 and 6402.
- The real property described in item 9a was the decedent's primary residence in the state of California.

**THE COURT FURTHER FINDS AND ORDERS**

9. a. The real property  described in Attachment 9a  described below passes to each petitioner as described in b.  
(Give legal description of property, including Assessor's Parcel Number):

b. Each petitioner's name and specific interest in the property  is stated in Attachment 9b  is as follows (specify):

10.  Other orders are stated in Attachment 10.

11. Number of pages attached: \_\_\_\_\_

Date:

\_\_\_\_\_  
JUDICIAL OFFICER  
 SIGNATURE FOLLOWS LAST ATTACHMENT

**W25-10****Decedents' Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
1.	Christine Brown, Attorney Torrance	N	<p>This procedure immediately titles the property into the names of the heirs/beneficiaries. If the estate has more than one heir, the chances of all beneficiaries getting along &amp; coming to a consensus on selling the property, keeping the property, paying the property taxes/mortgage/insurance/upkeep is slim. More people are going to end up in civil court to file a partition action (not exactly inexpensive). Or what is to be done when former squatter (child living in home since the parent's death rent free) becomes a new co-owner? You can't charge a co-owner rent, you need to evict him (which may not be possible because he is a co-owner), you can't sell it (buyers don't want an occupied property and squatter won't agree to sale), and will probably end up filing a partition action to sell it. Again, a waste of time and money. I believe that you are concerned about the statutory fees that probate attorneys receive, but you are now shifting attorneys fees to civil litigators who handle partition actions, unlawful detainer actions, etc. Many people inheriting the real property don't have disposable income to afford an attorney and civil litigators (unlike probate attorneys) won't wait to be paid.</p> <p>This form makes people (without their consent) become co-owners with others with whom they may not get along or people they may not even know. I would not want to own real property under those circumstances.</p>	<p>The committee appreciates these comments. They raise issues not with the proposed revisions to forms DE-310 and DE-315, but with the statutory scheme for obtaining a court order determining succession to a decedent's primary residence found in Probate Code sections 13150–13157, as amended by AB 2016 (Stats. 2024, ch. 455). The committee intends its recommendation to implement the amended statutory requirements. Concerns regarding the underlying statutes are beyond the scope of this proposal and more appropriately addressed to the Legislature. Furthermore, the committee cannot give legal advice about specific situations.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-10**

**Decedents' Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>It is for these reasons that many people designate one person to be the Executor so that one person can handle the sale, management or distribution of the property. Even if all beneficiaries disagree on selling the property, the Executor can go to court and get a court order and move the process along.</p> <p>What happens if there is a mortgage on the property? Will it take all owners to handle mortgage or speak with mortgage holder? So if one owner does not cooperate, or does not pay his share of mortgage, the mortgage goes into foreclosure?</p> <p>Who files the decedent's final tax returns? Who handles/pays the creditors? Responds to decedent's mail?</p> <p>What happens if there is a residence worth \$600K and bank accounts worth \$500,000. Do you still have to open a probate just for the cash?</p>	
2.	Crystal Dean, Attorney Eureka	A	<p>Agree with the proposed changes to the petition, but logistically will there be push-back from creditors (such as DHCS and FTB) or existing mortgage companies that the primary residence is being transferred directly to heirs without any kind of notice to them?</p>	<p>The committee appreciates this comment and question. The question raises issues beyond the scope of the proposal. Neither the forms nor the underlying legislation modify the legal requirements for transferring title to real property. The statute limited the permissible scope of the petition on form DE-310 to a primary residence and increased the maximum value of a residence eligible for the summary succession procedure to \$750,000. The form revisions implement those changes without further substantive change.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-10****Decedents' Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
3.	Oliver Greenwood, Attorney Pleasant Hill	A	The revisions to the forms are clear now but will eventually be confusing with all the dates. But those dates, while they may be a mass on the page, may help a pro per looking at this and help them sort it out so it will be useful. And forms can always be updated (with the exception of line 17 on GC-240)	The committee appreciates these comments. In the coming years, the committee anticipates that the forms will list only the most recent 2–3 adjusted dollar amounts. The full list of historical adjustments will be listed on the web in the California Courts Self-Help Guide.
4.	Housing and Economic Rights Advocates by Karren Moore-Jordan, Attorney Oakland	A	<p>The proposed changes to form DE-310 adequately reflect the changes enacted by AB 2016.</p> <p>However, if the decedent owned a primary residence valued at less than \$750,000 and a small lot of land valued at \$50,000, it appears that a full probate proceeding would be necessary to transfer ownership of the small lot. Form DE-305 could not be utilized to transfer ownership of the small lot, because as Probate Code section 13050 now reads, it does not exclude the decedent's primary residence when calculating the value of all of the decedent's real property in California. This outcome would be counter to the goal behind AB 2016 and the small estate administration provisions for simplifying the transfer of assets upon death.</p>	<p>The committee appreciates these comments.</p> <p>The committee agrees with the commenter's interpretation of the statute as applied to the circumstances described. Only a statutory amendment excluding a primary residence included in a section 13151 petition from the property used to establish the value of the decedent's estate for purposes of determining eligibility for the section 13200 process would allow use of that process via form DE-305. AB 2016 included an analogous amendment to section 13100—which establishes an affidavit process for collection or transfer of personal property—but did not so amend section 13200. Because a statutory amendment is required to resolve the issue raised, the commenter's concern is more appropriately addressed to the Legislature.</p>
5.	Orange County Bar Association by Mei Tsang, President Newport Beach	A	No further comment.	The committee appreciates this comment. No further response is required.
6.	R. Sam Price, Attorney Redlands	NI	<b>FORM DE-310</b>	The committee appreciates these comments.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-10**

**Decedents’ Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>Since a petitioner can file the same form for a decedent who died prior to April 1, 2025 and include real property other than the decedent’s primary residence and also personal property, I believe that there should be a check box for Line 1 for the petitioner to check the box for: “requests a determination that the real property described in item 11 [CHECKBOX] was the decedent’s primary residence in California, and is property passing to petitioner.”</p> <p>Probate Code sec. 13154(b)(2) requires that the court make an order determining that “Not less than 40 days have elapsed since the death of the decedent.” Thus, there should not be a checkbox on Line 3. At least 40 days have passed since the decedent’s death,” as that requested determination is a requirement. (Notate that there is no checkbox on Form DE-315 Line 4. “At least 40 days have passed since the decedent’s death.”</p> <p><b>FORM DE-315</b> There should be a checkbox for Line 8. “The real property described in item 9a was the decedent’s primary residence in the state of California.” because this order can be for a decedent who died prior to April 1, 2025.</p>	<p>The committee does not recommend the suggested change. The enactment of AB 2016, effective January 1, 2025, repealed the provisions in Probate Code sections 13150–13157 authorizing a petition to succeed to property other than a decedent’s primary residence in California. Regardless of the decedent’s date of death, any petition filed under section 13151 on or after January 1, 2025, may claim succession only to a decedent’s primary residence, making a check box unnecessary. In addition, if the decedent dies between January 1, 2025, and March 31, 2025, such a claim is limited to a primary residence valued at \$184,500 or less.</p> <p>The committee agrees with this comment and proposes removing the check box from item 3 on form DE-310. The statute does not require the petitioner to allege that 40 days have passed since the decedent’s death, only that 40 days have, in fact, passed (Prob. Code, § 13151), and the court makes a finding in its order to that effect (<i>id.</i>, § 13154(b)(2)). In addition, check boxes are typically used when a form asks the person completing it to make a choice. In this case, however, the form does not present a choice. If 40 days have not passed since the decedent’s death, the petitioner may not file the petition at all.</p> <p>The committee does not recommend this change. See response to the commenter’s first comment on form DE-310.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated



**W25-10**

**Decedents’ Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>Since this order can be for a decedent who died prior to April 1, 2025, it can also include real property other than the decedent’s primary residence and personal property; the order should be able to reflect those items.</p> <p><b>FORM DE-300</b> In addition to changes to Form DE-310 and Form DE-315, Form DE-300 must also be updated as it is a required attachment to Form DE-310.</p> <p><b>FORM DE-120</b> How will a petition show proof of delivery of the petition within five business days? Will there also be a change to Form DE-120 regarding notice and delivery to accommodate the notice requirement of Probate Code sec. 13151(b) that the petitioner “deliver a notice of the petition” within five business days of filing the petition? Or will a new notice form be created?</p> <p>The current Proof of Service by Mail only states that the document was mailed, not delivered.</p>	<p>The committee does not recommend a change in response to this comment. The authority to file a petition under section 13151 to succeed to real property other than the decedent’s primary residence or to personal property ceased to exist on January 1, 2025, when AB 2016 took effect. Whether a court retains the authority to grant a petition to succeed to property other than a decedent’s primary residence if the petition was filed before January 1, 2025, is an open question.</p> <p>The committee agrees and has included revisions to forms DE-300 and DE-305 in its recommendation. Because the revisions to these two forms are technical, requiring the application of a statutory formula, the committee did not ask to circulate them for public comment.</p> <p>The committee does not recommend a change to form DE-120 or the creation of a new notice form. Existing form DE-120 is suitable for giving both notice of the petition under Probate Code section 13151(b) and notice of the hearing on the petition under section 13153. Item 1 on form DE-120 requires entry of the title of the petition and a description; this information gives notice of the petition. Item 2 requires entry of the date, time, and place of the hearing on the petition; this information gives notice of the hearing.</p> <p>The committee does not recommend a change in response to this comment. Under section 1215,</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-10****Decedents' Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
				delivery by mail is complete when a notice or other paper is deposited in the mail. The proof of service by mail on page 2 of form DE-120 is therefore sufficient for its intended purpose.
7.	Superior Court of Los Angeles County by Robert Oftring, Chief Communications and External Affairs Officer	A	<p>The Court believes the proposal appropriately addresses the stated purpose but does not anticipate any cost savings. However, there may be a cost savings to litigants with probate estates where the only asset is a residence under \$750,000.</p> <p>There may be an increase in filings due to the higher threshold to qualify as a small estate. There is no need to change anything in the case management system because the Court has existing workflows. This petition may work better in smaller counties where property values are below \$750,000, as it would mostly benefit primary residences. However, in denser areas such as Los Angeles, Orange County, and other parts of Southern California, it is difficult to say. Nonetheless, the proposal would work well in courts of different sizes.</p>	The committee appreciates these comments. No further response is required.
8.	Superior Court of Orange County Probate Operations Management by Sean Lillywhite	NI	<p>The proposal appropriately address the stated purpose.</p> <p>Implementation costs and efforts are minimal.</p> <p>The effective date of the \$750,000 dollar amount pursuant to Prob. Code section 13152(f)(3) is April 1, 2025. The proposed effective date of the revised rules and forms is April 27, most likely for consideration at the</p>	<p>The committee appreciates these comments.</p> <p>No specific response is required.</p> <p>The committee does not expect the court to receive petitions on forms with an incorrect dollar amount in the period between April 1 and April 27, 2025. The dollar amounts on the existing form apply to property of decedents who die before</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-10**

**Decedents’ Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p>April meeting of the Judicial Council. What guidance do you provide court staff processing the old forms with an incorrect dollar amount in the interim period?</p>	<p>April 1, 2025. The new \$750,000 dollar amount applies to the property of decedents who die on or after April 1, 2025. A petitioner may not file a petition under section 13151 until 40 days have passed since the decedent’s death. The first day that a petitioner could file a petition on which the new amount would apply would therefore be Monday, May 12, 2025. The current version of form DE-310 will list the correct dollar amounts for all petitions properly filed between April 1 and April 28, 2025.</p>
9.	<p>Superior Court of San Diego County by Mike Roddy, Executive Officer</p>	A	<p><i>Q: Does the proposal appropriately address the stated purpose?</i> A: Yes.</p> <p><i>Q: Would the proposal provide cost savings? If so, please quantify.</i> A: No.</p> <p><i>Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</i> A: Staff must be trained to identify the new form and reject old version beginning April 28, 2025. Examiners must be trained on new form and develop new defects for examination. Judges must be made aware of new requirements. The case management system will need to be updated to reflect the change to the form names.</p>	<p>The committee appreciates these comments.</p> <p>No specific response is required.</p> <p>No specific response is required.</p> <p>No specific response is required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-10**

**Decedents' Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p><i>Q: How well would this proposal work in courts of different sizes?</i></p> <p>A: It is anticipated filings will increase as more decedent estates will fall into the valuation category that otherwise would have put them into the full probate administration category. This fluctuation may alleviate the settings for our Estate calendar but would translate to an increase in settings to our Miscellaneous calendar, which are typically set further out. Counties with larger population will theoretically see more fluctuation in filings.</p> <p>The revision dates in the footer of the forms should reflect April 28, 2025, rather than April 1, 2025.</p>	<p>No specific response is required.</p> <p>The committee has revised the recommended forms as suggested.</p>
10.	Trial Court Presiding Judge Advisory Committee/Court Executives Advisory Committee Joint Rules Subcommittee	A	<p>The JRS notes that the proposal is required to conform to a change of law.</p> <p>The JRS also notes the following impact to court operations:</p> <ul style="list-style-type: none"> <li>● Impact on existing automated systems. <ul style="list-style-type: none"> <li>○ The two, new Probate forms will impact current mandatory forms and case management systems. Outdated forms will need to be replaced and digital case management systems will need to be reprogrammed to recognize the new mandatory Judicial Council forms. These are relatively minor impacts and cannot be avoided since the new legislation takes effect on April 28, 2025.</li> </ul> </li> </ul>	<p>The committee appreciates these comments. No further response is required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**W25-10****Decedents' Estates: Succession to Real Property of Small Value** (Revise forms DE-310 and DE-315)

All comments are verbatim unless indicated by an asterisk (\*).

	<b>Commenter</b>	<b>Position</b>	<b>Comment</b>	<b>Committee Response</b>
			<ul style="list-style-type: none"><li>● Results in additional training, which requires the commitment of staff time and court resources.<ul style="list-style-type: none"><li>○ Probate Clerk's Office staff, Probate examiners, and Probate bench officers will need to be trained on the new law and forms. This should take no more than an hour to complete. The new legislation modifies current law. The new legislation will require that this procedure can only be used for a primary residence in California and alters the dollar amount to determine that property succession.</li></ul></li></ul>	

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**Calculation of Limits on Value of Property or Estates  
Eligible for Disposition Without Administration  
(Adjusted April 1, 2025)**

The values specified in chapter 6 (commencing with section 6600) of part 3 of division 6 and in division 8 (commencing with section 13000) of the Probate Code are listed in *Maximum Values for Small Estate Set-Aside & Disposition of Estate Without Administration* (form DE-300), and are adjusted, effective April 1, 2025, as required by Probate Code section 890(b) using the following method:

**Formula**

Under Probate Code section 890, the adjustments to the amounts of the specified values are calculated based on the change in the U.S. city average of the Consumer Price Index for All Urban Consumers (CPI-U) from the December 40 months before the adjustment to the December immediately preceding the adjustment.<sup>1</sup> (Prob. Code, § 890(b).) Determining the April 1, 2025, adjustment requires the following calculation:

$$\text{Adjusted amount} = \left[ \frac{(\text{CPI-U [Dec. 2024]} - \text{CPI-U [Dec. 2021]})}{\text{CPI-U (Dec. 2021)}} + 1 \right] \times \text{Previous amount}$$

**Calculation**

The CPI-U in December 2021 was 278.802. The CPI-U in December 2024 was 315.605. The proportional amount of change is determined by performing the calculation in brackets below. The result is 1.132004.

$$\text{Adjusted amount} = \left[ \frac{(315.605 - 278.802)}{278.802} + 1 \right] \times \text{Previous amount} = \mathbf{1.132004} \times \text{Previous amount}$$

The adjusted amount of each value specified in chapter 6 (commencing with section 6600) of part 3 of division 6 and in division 8 (commencing with section 13000) of the Probate Code in effect March 31, 2025, is then reached by multiplying the amount of each current value by 1.132004 and rounding each product to the nearest \$25. (See Prob. Code, § 890(b).) For example, the current value applicable to Probate Code section 6602 is \$95,325. The product of multiplying 95,325 by 1.132004 is 107,908.28. Rounded to the nearest \$25, the adjusted value is \$107,900.

<sup>1</sup> The data used for the calculations in this report can be found by searching series report CUUR0000SA0 on the U.S. Bureau of Labor Statistics website at <https://data.bls.gov/series-report>.

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** 3/13/25

**Rules Committee action requested** [Choose from drop-down menu below]:

**Submit to JC (without circulating for comment)**

**Title of proposal:** Uniform Bail and Penalty Schedules: Miscellaneous Technical Changes to the 2025 Edition for Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Adopt Uniform Bail and Penalty Schedules: 2025 Edition (Revised)

*Committee or other entity submitting the proposal:*

Traffic Advisory Committee

*Staff contact (name, phone and email):* Jamie Schechter, 415-865-5327, Jamie.Schechter@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): 10/22/24

Project description from annual agenda: The Traffic Advisory Committee is required to revise and update the Uniform Bail and Penalty Schedules annually to conform with new laws, as required by Penal Code section 1269b and California Rule of Court 4.102.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

These technical changes are requested to be effective July 1, 2025, to correct errors in the UBPS as updated for 2025.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

The recommendations are non-controversial technical changes to comply with statutory changes.

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) 2/10/25

approved by Office Director (or Designee) (name) Francine Byrne  
on (date) 2/11/25

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.)

- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.





# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:*

For business meeting on April 25, 2025

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Title

Uniform Bail and Penalty Schedules:  
Miscellaneous Technical Changes to the  
2025 Edition for Traffic, Boating, Forestry,  
Fish and Game, Public Utilities, Parks and  
Recreation, Business Licensing

Rules, Forms, Standards, or Statutes Affected  
Adopt *Uniform Bail and Penalty Schedules,  
2025 Edition (Revised)*

Recommended by

Traffic Advisory Committee  
Hon. Maria Lucy Armendariz, Chair

Agenda Item Type

Action Required

Effective Date

July 1, 2025

Date of Report

February 14, 2025

Contact

Jamie Schechter, 415-863-5327

[Jamie.Schechter@jud.ca.gov](mailto:Jamie.Schechter@jud.ca.gov)

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### Executive Summary

The Traffic Advisory Committee recommends adopting the *Uniform Bail and Penalty Schedules, 2025 Edition (Revised): Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing* to correct errors in the conviction assessment column for 32 offenses and to update the page numbers in the table of contents. These changes are technical, minor, and noncontroversial.

### Recommendation

The Traffic Advisory Committee recommends that the Judicial Council, effective July 1, 2025, adopt *Uniform Bail and Penalty Schedules, 2025 Edition (Revised): Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing* (UBPS) to correct the conviction assessment column for 32 statutes. As part of the revision, the committee recommends also updating several page number entries in the table of contents.

## **Relevant Previous Council Action**

Each year, the Judicial Council adopts an updated UBPS with an effective date of January 1. The council adopted the most recent 2025 edition by circulating order on December 13, 2024. (Circulating Order No. CO-24-01.)

## **Analysis/Rationale**

The Judicial Council is statutorily required to annually adopt a penalty schedule for all nonparking infractions of the Vehicle Code. (Veh. Code, § 40310.) Under California Rules of Court, rule 4.102, the Judicial Council also maintains penalty schedules for some boating, fish and game, forestry, public utilities, parks and recreation, and business licensing offenses as well as some Vehicle Code misdemeanors. As a result of these multiple schedules, the UBPS is a voluminous document consisting of over 150 pages.

The Judicial Council establishes base fine amounts for the offenses listed in the UBPS. To help courts calculate the total fine amount, the UBPS also provides information and sample calculations about various add-ons (fines, fees, and assessments) to calculate the total amount due (known as the “total bail”).<sup>1</sup> One of the add-ons listed for all offenses in the UBPS is the conviction assessment. Government Code section 70373(a)(1) sets the conviction assessment at \$35 for infractions and \$30 for misdemeanors.

Shortly after the council adopted the 2025 UBPS, two stakeholders noted that conviction assessments for 32 offenses were listed incorrectly in the Fish and Game Schedule, the Public Utilities Schedule, and the Business Licensing Schedule.<sup>2</sup> The committee recommends correcting the conviction assessment amounts and updating the page numbers in the table of contents. Please see Attachment A for the recommended changes on pages i–ii, 90, 94–96, 108, 110, 115–116, and 131.

## **Policy implications**

This proposal promotes accuracy of the UBPS and consistency of the UBPS with statutes.

## **Comments**

Public comments were not solicited for this proposal because the recommendation is within the Judicial Council’s purview to approve without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

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<sup>1</sup> These sample calculations are not mandatory for the council to provide; courts may impose different add-ons to the base fine, depending on several factors. Penal Code section 1463.28 provides that 30 counties may exceed the “total bail” amounts of the Traffic Infraction Bail and Penalty Schedules.

<sup>2</sup> For most of these offenses, the conviction assessments have been reversed, erroneously listing \$30 for infraction offenses and \$35 for misdemeanor offenses. Some of the offenses had what appeared to be page numbers inserted in the conviction assessment column.

**Alternatives considered**

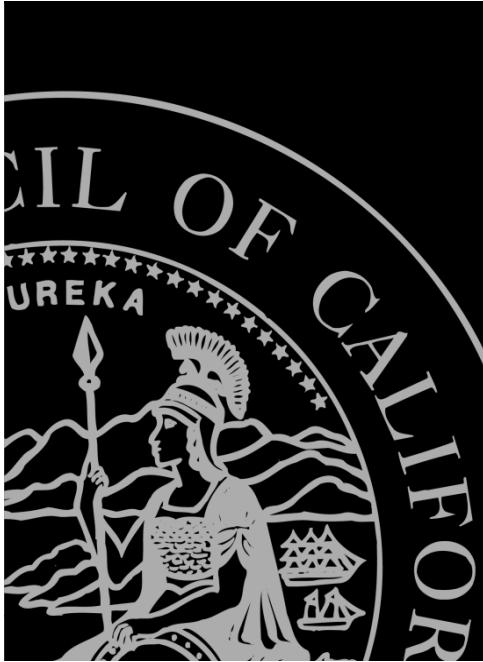
None.

**Fiscal and Operational Impacts**

Operational impacts are expected to be minor. Many courts use the UBPS for the base fine amounts only. Therefore, the errors in the conviction assessment column for the UBPS will not impact those courts. For some courts, there may be operational or administrative costs associated with changing the conviction assessment column for the affected offenses, but the costs are not expected to be significant.

**Attachments and Links**

1. Attachment A: *Uniform Bail and Penalty Schedules, 2025 Edition(Revised): Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing*



# Uniform Bail and Penalty Schedules

2025 EDITION (Revised)

(Cal. Rules of Court, rule 4.102)

TRAFFIC  
BOATING  
FORESTRY  
FISH AND GAME  
PUBLIC UTILITIES  
PARKS AND RECREATION  
BUSINESS LICENSING



JUDICIAL COUNCIL  
OF CALIFORNIA

**JUDICIAL COUNCIL OF CALIFORNIA**  
**455 Golden Gate Avenue**  
**San Francisco, California 94102-3688**

**Rule 4.102. UNIFORM BAIL AND PENALTY SCHEDULES**

**TRAFFIC, BOATING, FORESTRY, FISH AND GAME,  
PUBLIC UTILITIES, PARKS AND RECREATION, BUSINESS LICENSING**

The Judicial Council of California has established the policy of promulgating uniform bail and penalty schedules for certain offenses in order to achieve a standard of uniformity in the handling of these offenses.

In general, bail is used to ensure the presence of the defendant before the court. Under Vehicle Code sections 40512 and 13103, bail may also be forfeited and such forfeiture may be ordered without the necessity of any further court proceedings and treated as a conviction for specified Vehicle Code offenses. A penalty in the form of a monetary sum is a fine imposed as all or a portion of a sentence imposed.

To achieve substantial uniformity of bail and penalties throughout the state in traffic, boating, fish and game, forestry, public utilities, parks and recreation, and business licensing cases, the trial court judges, in performing their duty under Penal Code section 1269b to annually revise and adopt a schedule of bail and penalties for all misdemeanor and infraction offenses except Vehicle Code infractions, must give consideration to the Uniform Bail and Penalty Schedules approved by the Judicial Council. The Uniform Bail and Penalty Schedule for infraction violations of the Vehicle Code will be established by the Judicial Council in accordance with Vehicle Code section 40310. Judges must give consideration to requiring additional bail for aggravating or enhancing factors.

After a court adopts a countywide bail and penalty schedule, under Penal Code section 1269b, the court must, as soon as practicable, mail a copy of the schedule to the Judicial Council with a report stating how the revised schedule differs from the council's uniform traffic bail and penalty schedule, uniform boating bail and penalty schedule, uniform fish and game bail and penalty schedule, uniform forestry bail and penalty schedule, uniform public utilities bail and penalty schedule, uniform parks and recreation bail and penalty schedule, or uniform business licensing bail and penalty schedule.

The purpose of this uniform bail and penalty schedule is to:

1. Show the standard amount for bail, which for Vehicle Code offenses may also be the amount utilized for a bail forfeiture instead of further proceedings; and
2. Serve as a guideline for the imposition of a fine as all or a portion of the penalty for a first conviction of a listed offense where a fine is used as all or a portion of the penalty for such offense. The amounts shown for the misdemeanors on the boating, fish and game, forestry, public utilities, parks and recreation, and business licensing bail and penalty schedules have been set with this dual purpose in mind.

Unless otherwise shown, the maximum penalties for the listed offenses are six months in the county jail or a fine of \$1,000, or both. The penalty amounts are intended to be used to provide standard fine amounts for a first offense conviction of a violation shown where a fine is used as all or a portion of the sentence imposed.

The bail amounts in the Uniform Bail and Penalty Schedules are calculated by using the maximum county and emergency medical services penalty amount authorized by Government Code sections 76000 and 76000.5. When a court adopts a countywide bail schedule under Penal Code section 1269b for infraction offenses, the local schedule should be adjusted to reflect the specific penalty assessments that apply to a particular county under Government Code sections 76000 and 76000.5. If a court does not have night or weekend sessions for traffic cases, the countywide bail schedule should omit the \$1 fee under Vehicle Code section 42006. The Safety Enhancement–Double Fine Zone schedule applies only to specific counties as expressly authorized by statute.

Note: Courts may obtain copies of the Uniform Bail and Penalty Schedules by contacting:

Judicial Council of California  
Criminal Justice Services  
455 Golden Gate Avenue  
San Francisco, California 94102-3688  
Email: [TrafficAC@jud.ca.gov](mailto:TrafficAC@jud.ca.gov)  
[courts.ca.gov/7532.htm](http://courts.ca.gov/7532.htm)

# CONTENTS

<b>PREFACE.....</b>	<b>iii</b>
I. SECTION AND OFFENSE .....	iii
II. BASE BAIL .....	iii
III. ADDITIONAL PENALTIES AND SURCHARGE .....	iii
IV. TOTAL BAIL .....	iv
V. BAIL CATEGORIES.....	viii
VI. POINT COUNT .....	viii
VII. PRIOR CONVICTIONS .....	viii
VIII. TRAFFIC VIOLATOR SCHOOL .....	ix
<i>Sample Calculation of Bail, Traffic Violator School Fee, and Court Operations Assessment for Multiple Offenses</i> .....	x
IX. LATE CHARGE .....	x
<i>Sample Calculation of Late Penalty</i> .....	xi
X. OFFENSES ELIGIBLE FOR CORRECTION .....	xi
XI. EVIDENCE OF FINANCIAL RESPONSIBILITY .....	xii
XII. PARKING VIOLATIONS .....	xii
<b>TRAFFIC INFRACTION FIXED PENALTY SCHEDULE .....</b>	<b>1</b>
OVERWEIGHT CHART (PER VC 42030).....	40
WEIGHT CHART (PER VC 42030.1) .....	41
SPEED CHART .....	42
<b>TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE.....</b>	<b>43</b>
<b>APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009.....</b>	<b>57</b>
VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA .....	57
ENHANCED PENALTY SPEED CHART AMOUNTS PER VEHICLE CODE SECTION 42009 .....	678
<b>APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010.....</b>	<b>689</b>
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT–DOUBLE FINE ZONES .....	689
ENHANCED PENALTY SPEED CHART AMOUNTS PER VEHICLE CODE SECTION 42010 .....	768
<b>BOATING BAIL AND PENALTY SCHEDULE.....</b>	<b>779</b>
<b>FORESTRY BAIL AND PENALTY SCHEDULE .....</b>	<b>846</b>
<b>FISH AND GAME BAIL AND PENALTY SCHEDULE .....</b>	<b>879</b>
<b>PUBLIC UTILITIES BAIL AND PENALTY SCHEDULE .....</b>	<b>1125</b>

<b>PARKS AND RECREATION BAIL AND PENALTY SCHEDULE .....</b>	<b>1158</b>
<b>SPEED CHART .....</b>	<b>1258</b>
<b>BUSINESS LICENSING BAIL AND PENALTY SCHEDULE .....</b>	<b>1269</b>



## PREFACE

### ***I. Section and Offense***

- A. Historically, only those offenses most often filed in municipal courts were included in the Uniform Bail and Penalty Schedules. Penal Code section 1269b and Vehicle Code section 40310 require the Judicial Council to establish a schedule for infractions of the Vehicle Code. The Judicial Council approved the first Traffic Infraction Bail and Penalty Schedule in November 1992.
- B. The letter “M” designates a misdemeanor: a crime punishable, at the discretion of the court, by imprisonment in a county jail for a period of no longer than 6 months or by a fine not exceeding \$1,000 or by both (Penal Code section 19).
- C. The letter “I” designates an infraction: a violation of a law not punishable by imprisonment but by a fine generally not exceeding \$100 for violations of the Vehicle Code (Vehicle Code section 42001) or \$250 for violations of other codes (Penal Code section 19.8(b))

### ***II. Base Bail***

The “Base Bail” indicated is the amount from which the “additional penalties” required by Penal Code section 1464; Government Code sections 70372, 76000, 76104.6, and 76104.7; the surcharge required by Penal Code section 1465.7; and the penalty authorized by Government Code section 76000.5 are calculated.

### ***III. Additional Penalties and Surcharge***

- A. An “additional penalty” of between \$22 and \$27 (\$10 state penalty required by Penal Code section 1464; state court construction penalty of \$5 required by Government Code section 70372(a); a county and state DNA Identification Fund penalty of \$5 required by Government Code sections 76104.6 and 76104.7 (amended effective June 27, 2012); and a county penalty of up to \$7 required by Government Code section 76000(e)) shall be levied upon every \$10, or part of \$10, of every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses. The “additional penalty” may increase by \$2 for every \$10, or part of \$10, of the base fine if the county board of supervisors elects to levy an emergency medical services (EMS) penalty assessment under Government Code section 76000.5.
- B. Government Code section 70372(a) requires imposition of a state court construction penalty on every fine, penalty, or forfeiture collected by the courts for criminal offenses, including, but not limited to, all offenses, except parking offenses, as defined in Penal Code section 1463, involving violations of the Fish and Game Code and Vehicle Code or local ordinances adopted pursuant to the Vehicle Code. Section 70372 specifies a state court construction penalty of \$5 for every \$10, or part of \$10, of the criminal fine, penalty, or forfeiture.

- C. Penal Code section 1464(b) provides that in the case of multiple offenses, the amount of “additional penalties” is to be determined by the total base bail or fine for all the offenses cited, and if the fine or base bail is suspended in whole or part, the “additional penalties” shall be reduced in proportion to the amount of suspension.
- D. Penal Code section 1465.7(a) requires imposition on criminal offenses of a state surcharge equal to 20 percent of the base fine used to calculate the state penalty assessment as specified in Penal Code section 1464(a). Penal Code section 1465.7(b) requires that the surcharge be imposed in addition to the state penalty assessment pursuant to Penal Code section 1464 and not be included in the base fine used to calculate the state penalty assessment as specified in section 1464. For the limited purpose of calculating the fee to attend traffic violator school under Vehicle Code section 42007, Penal Code section 1465.7(g) provides that the surcharge is excluded from the “Total Bail” amount used to determine the fee but is collected and distributed according to section 1465.7. The surcharge is part of the “Total Bail” in other circumstances, such as when a defendant requests a trial by written declaration or when a court permits payment of the “Total Bail” in installments.
- E. In counties with bonded indebtedness for court facilities, the county penalty assessment amount under Government Code section 76000(e) is \$7 for every \$10 or part of \$10 of the base fine. In counties without bonded indebtedness for court facilities, if the county penalty assessment amount listed in Government Code section 76000(e) is less than \$7, the penalty for every \$10, or part of \$10, of the base fine is equal to the amount listed in Government Code section 76000(e) plus the amount obtained from multiplying the difference between \$7 and the amount listed in Government Code section 76000(e) by the ratio of the square footage of court facilities transferred from the county to the state to the total court facility square footage in the county.

#### ***IV. Total Bail***

- A. Effective January 1, 1989, the Judicial Council adopted a “Total Bail” concept in an effort to obtain statewide consistency in the “bail” policies of the courts. The indicated “Total Bail” is for the first offense, and it must be followed to the extent required by Penal Code section 1269b.
- B. Except as otherwise required by statute, trial courts have discretion to suspend the minimum sentence, including fines and penalties. For traffic cases, Vehicle Code section 42003 permits a judge or referee to consider a defendant’s ability to pay. Vehicle Code section 42007 permits a judicial officer to reduce the fee to attend traffic violator school upon a showing that the defendant is unable to pay the full amount. Vehicle Code sections 42003 and 40510.5 permit installment payments of judgments in traffic cases, and Vehicle Code section 42007 permits installment payments of the fee to attend traffic violator school.

C. Except for the following exceptions, counties must adhere to the Judicial Council’s Traffic Infraction Bail and Penalty Schedule for infraction violations of the Vehicle Code (Penal Code section 1269b and Vehicle Code section 40310).

Penal Code section 1463.28 provides that 30 counties may exceed the “Total Bail” amounts of the Traffic Infraction Bail and Penalty Schedule. Those counties are

- |                 |                 |                 |
|-----------------|-----------------|-----------------|
| 1. Alpine       | 11. Lassen      | 21. San Joaquin |
| 2. Amador       | 12. Los Angeles | 22. Santa Clara |
| 3. Butte        | 13. Madera      | 23. Sierra      |
| 4. Calaveras    | 14. Mariposa    | 24. Stanislaus  |
| 5. Contra Costa | 15. Mendocino   | 25. Sutter      |
| 6. Del Norte    | 16. Modoc       | 26. Trinity     |
| 7. Fresno       | 17. Mono        | 27. Tulare      |
| 8. Humboldt     | 18. Plumas      | 28. Tuolumne    |
| 9. Kings        | 19. San Benito  | 29. Yolo        |
| 10. Lake        | 20. San Diego   | 30. Yuba        |

Additional exceptions result from two pieces of legislation that became operative on January 1, 1994:

1. Vehicle Code section 42001 allows local public entities that employ peace officers, universities, and state colleges to set a fine schedule for bicycle violations occurring in their jurisdictions that would supersede the Judicial Council penalty schedule.
2. Vehicle Code section 42009 requires that for any specified offense committed within a highway construction or maintenance area during hours when work is being performed, the fine shall be double in the case of misdemeanors and in the case of infractions shall be one category higher than otherwise provided in the Traffic Infraction Fixed Penalty Schedule. An appendix with the specified offenses listed and the enhanced amounts follows the Traffic portion of the bail and penalty schedules, starting on page 61.
3. Streets and Highways Code section 97 provides for increased fines for a safety enhancement—double fine zone on the segment of Route 12 between the Route 80 junction in Solano County and the Route 5 junction in San Joaquin County.

Under section 97, the base fine for any specified offense committed in the safety enhancement–double fine zone shall be double in the case of misdemeanors and in the case of infractions shall be one category higher than otherwise provided in the Uniform Bail and Penalty Schedules. Any additional penalty, forfeiture, or assessment imposed by any other statute shall be based on the amount of the base fine before enhancement or doubling and shall not be based on the amount of the enhanced fine.

The “Categories” indicated in the Traffic Infraction Bail and Penalty Schedule under Vehicle Code sections 40310, 42009(a), and 42010 will be shown as “1a” and “1b,” “2a” and “2b,” “3a” and “3b,” and “4a” and “4b,” with the “b” subcategory referring to the violation when it is committed in a highway construction zone or safety enhancement–double fine zone.

- D. The “Total Bail” amounts within the Uniform Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, and Business Licensing Bail Schedules are suggested amounts, and their adoption by courts is not compulsory.
- E. The “Total Bail” amount indicated includes the base bail and those “additional penalties” required by Penal Code section 1464 and Government Code sections 70372, 76000, 76104.6, and 76104.7, and the 20 percent surcharge on the base bail required by Penal Code section 1465.7, except as provided in Vehicle Code section 42007. When authorized by the county board of supervisors, the “Total Bail” for a countywide bail schedule adopted under Penal Code section 1269b may also include an additional \$2 penalty under Government Code section 76000.5 for every \$10, or part of \$10, of the base fine. Assessments adopted by a court—such as under Vehicle Code section 40508.6—shall be collected in addition to the “Total Bail.” The court operations assessment imposed per convicted offense under Penal Code section 1465.8; assessment for night court under Vehicle Code section 42006; traffic assistance program (TAP) fee under Vehicle Code section 11205.2; and criminal conviction assessment under Government Code section 70373 are collected as part of the “Total Bail,” but are not subject to the special distribution for the “Total Bail” in traffic violator school cases under Vehicle Code section 42007. Effective January 1, 2014, Penal Code section 1202.4(b)(1) requires a minimum \$150 restitution fine as an assessment in addition to the “Total Bail” in every case where there is a misdemeanor conviction. Other mandatory assessments may also be applicable, especially in DUI cases.

Fish and Game Code section 12021 authorized a \$15 penalty to be collected in addition to the fine and penalties normally collected for violations of the Fish and Game Code, to be deposited in the Fish and Game Preservation Fund and disbursed as specified. The \$15 additional penalty does not apply to violations punishable pursuant to Fish and Game Code section 12002.1(b) or 12002.2(b) or to any regulation relating to the wearing or display of a fishing license.

- F. “Total Bail” shall not exceed statutory limits. Vehicle Code section 40310 specifies that the “fine” amount of the total bail shall not exceed the limitations specified by Vehicle Code sections 42001 and 42001.5.
- G. Rule 4.105 of the California Rules of Court provides that with certain exceptions deposit of bail is not required to appear for arraignment or trial for an infraction case. Deposit may be required: by statute, such as trial by written declaration; if a person does not sign a promise to appear as ordered by the court; or a judicial officer states a reason for a deposit to schedule a trial.

In cases where a court appearance is required by a court, the amounts set forth in the Uniform Bail and Penalty Schedules do not necessarily indicate the appropriate total penalties; rather, they ensure that, in most cases, when bail is posted, sufficient funds will be available to meet the defendant’s obligations. Upon conviction, however, “additional penalties” are added to any fine. It is incumbent upon the judge who hears each case to determine the proper total penalty (fine and “additional penalties”) based on the particular facts presented.

With the exception of juveniles under age 18, there shall be no mandatory court appearance for any infraction of the California Vehicle Code punishable by fine only. A court may require a mandatory appearance for an infraction violation of the Vehicle Code when a statutory driver’s license restriction, suspension, or revocation is authorized; community service or proof of payment or correction is mandatory; or a violation requires specific action under the Vehicle Code in addition to a fine. This paragraph does not apply to violations of local ordinances based on Vehicle Code sections.

- H. The “Total Bail” for an offense *not specifically listed* in the Uniform Traffic Infraction Bail and Penalty Schedule is the amount set for the general category of that offense unless a California code or regulation specifies otherwise. The court operations assessment and criminal conviction assessment are collected in addition to the “Total Bail.” The suggested minimum “Total Bail” for an offense *not specifically listed* in the Uniform Traffic Misdemeanor Bail and Penalty Schedule, unless a California code or regulation specifies otherwise, is:

	Base	+ Additional Penalties*&	Surcharge	+	Fees	=	Total Bail*/Fees (*See sections II–IV)
Misdemeanor	\$ 75	+	\$247	+	\$70	=	\$392
Infraction	\$ 35	+	\$123	+	\$75	=	\$233

The suggested minimum “Total Bail” for an offense *not specifically listed* in the Uniform Public Utilities Bail and Penalty Schedule, unless a California code or regulation specifies otherwise, is:

Misdemeanor	\$185	+	\$588	+	\$70	=	\$843
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The suggested minimum “Total Bail” for an offense *not specifically listed* in the Uniform Boating, Business Licensing, Fish and Game, Forestry, or Parks and Recreation Bail and Penalty Schedules, unless a California code or regulation specifies otherwise, is:

Misdemeanor	\$100	+	\$310	+	\$70	=	\$480
Infraction	\$ 35	+	\$123	+	\$75	=	\$233

## V. **Bail Categories**

Assembly Bill 1344 (Stats. 1992, ch. 696), effective September 15, 1992, amended Vehicle Code section 40310 to classify Vehicle Code offenses into four or fewer penalty categories, according to the severity of the offenses. The Judicial Council has approved the following categories of bail/fine after considering suggestions from its Traffic Advisory Committee and the recommendations made by the National Center for State Courts:

		Base Fine	+	Additional Penalties* & Surcharge	+	Fees	=	Total Bail*/Fees (*See secs. II–IV)
Category 1	Bicyclist, motorized scooter, pedestrian, pocket bike, vehicle registration	\$ 25	+	\$ 92	+	\$ 75	=	\$ 192
Category 2	Driver’s license, operation of vehicle, and size and load offenses	\$ 35	+	\$ 123	+	\$ 75	=	\$ 233
Category 3	Substance abuse infractions, VC 2818, VC 20004, VC 21706.5, and VC 27375	\$ 70	+	\$ 217	+	\$ 75	=	\$ 362
Category 4	Miscellaneous offenses for which the penalties or the fee for dismissal with proof of correction are specifically set by the Vehicle Code, speeding offenses (refer to Speed Chart), and infractions pursuant to PC 19.8							

If a citation does not indicate that an offense is eligible for correction under Vehicle Code 40522, a court may presume that the offense is cited as noncorrectable. (See also *California Highway Patrol v. Superior Court* (2008) 158 Cal.App.4th 726, 740.) Vehicle Code section 14610.5(a) may be charged as either an infraction or a misdemeanor (Vehicle Code section 14610.5(b)). Penal Code section 19.8 lists the following offenses that are an infraction with a fine of up to \$250: Vehicle Code sections 5201.1, 12500(a), 14601.1, 23109(c), 27150.1, and 40508. If one of these offenses is charged as an infraction, the appropriate penalty is listed in the Traffic Infraction Bail and Penalty Schedule. If the offense is charged as a misdemeanor, the recommended penalty is listed in the Traffic Misdemeanor Bail and Penalty Schedule.

## VI. **Point Count**

Vehicle Code sections 12810, 12810.2, 12810.3, and 12810.4 determine the amount of point count. The Department of Motor Vehicles establishes conviction point count based on statutory guidance and definition. Vehicle Code section 12810.5 defines a “negligent operator” based on point count. The Department of Motor Vehicles may take an administrative sanction against a person’s driving privilege based on “points” (Vehicle Code section 12810.5).

## VII. **Prior Convictions**

A. The base fine for one Vehicle Code moving violation that is assessed “points” on a current arrest or citation may be enhanced by \$10 for each “prior” conviction within 36 months of the new alleged offense. For calculating the enhancement, both the current and “prior” offense must be a moving violation for which a “point” has been assigned per Vehicle Code section 12810 or 12810.2. A confidential conviction after completion of traffic violator school is not assigned a point or counted as a prior offense for purposes of enhancing the fine of a subsequent offense. Regardless of the number of moving violation convictions on a citation, only one “prior” per citation shall be counted in determining the enhancement on the current offense.

While Vehicle Code section 42001 references maximum fines within a one-year time frame, the Judicial Council has interpreted section 42001 to not preclude a court from considering “prior” convictions for a longer period of time. The period of 36 months was adopted by the Judicial Council (effective January 1, 1989) to correspond to and reinforce Vehicle Code sections 12810 and 12810.5. These sections define the “point system” used by the Department of Motor Vehicles as prima facie evidence of the negligent operation of a motor vehicle.

Vehicle Code sections 15306 and 15308 specify penalties for commercial drivers in terms of subsequent offenses occurring within three years.

- B. In the case of an owner responsibility citation, the “prior” must relate to the particular vehicle for which the new offense is charged.
- C. Vehicle Code section 42004 provides that the court, in determining a penalty to be imposed pursuant to the Vehicle Code, may use a written report from the Department of Motor Vehicles that contains information showing prior convictions.
- D. With the exception of parking, pedestrian, and bicycle offenses on a current citation, Vehicle Code section 40508.6 authorizes courts to establish an administrative assessment, not to exceed \$10, for the purpose of recording and maintaining a record of a defendant’s prior convictions, that is payable at the time of payment of a fine or when bail is forfeited for any subsequent violation.

### ***VIII. Traffic Violator School***

- A. Vehicle Code section 42007 provides that:
  - 1. The court shall collect a fee from every person ordered or permitted to attend traffic violator school in an amount equal to the total bail set forth for the eligible offense in the uniform countywide bail schedule;
  - 2. Where multiple offenses are charged on a single notice to appear, the “total bail” amount collected is the amount applicable to the greater of the eligible offenses; and
  - 3. The court may set a lesser fee upon a showing that the defendant is unable to pay the full amount.
- B. Vehicle Code section 40512.6 provides that the fee may be converted to bail and forfeited if the defendant fails to submit proof of school completion within the time ordered by the court.
- C. Vehicle Code section 42007.1(a) provides that a \$49 fee, a fee for monitoring traffic violator schools, and a TAP fee under Vehicle Code section 11205.2(c) are to be added to the “total bail” of the offense eligible for traffic violator school.
- D. Vehicle Code section 42005 prohibits drivers of commercial vehicles from eligibility for traffic violator school. Drivers

with a Class A, Class B, or commercial Class C driver’s license may attend traffic violator school to avoid points for traffic violations in a vehicle that requires only a class M or noncommercial class C license. Vehicle Code section 42005(d) excludes violations of Vehicle Code sections 20001, 20002, 23103, 23104, 23105, 23140, 23152, 23153, or 23103, as specified in section 23103.5, from eligibility for traffic violator school for pretrial diversion, a confidential conviction, or to avoid points.

**Sample Calculation of Bail, Traffic Violator School Fee, and Court Operations Assessment for Multiple Offenses**

1. Violation of Vehicle Code sections 21453(b), 27360.5(a), 24252(a)(1), and 26707.
2. No prior convictions are charged.
3. “Additional penalties” of between \$22 and \$29 as set out in section III for every \$10 of base fine or part thereof, plus the surcharge on the base fine per offense:

“Total Bail” Without Traffic School or Proof		Traffic Violator School and Correction Total With Proof	
VC 21453(b)	= \$ 35	(VC 21453(b))	= \$ 0
VC 27360.5(a)	= \$ 100	(VC 27360.5(a))	= \$ 100
VC 24252(a)(1), VC 26707	= \$ 50	Total base fine	= \$ 100
Total base fine	= \$ 185	Penalties (\$29 x 10)	= \$ 290
Penalties (\$29 x 19)	= \$ 551	Surcharge	= \$ 20
Surcharge	= \$ 37	TOTAL BAIL	= \$ 410
TOTAL BAIL	= \$ 773	Court operations (2 x \$40)	= \$ 80
		Conviction assessment (2 x \$35)	= \$ 70
Court operations	= \$ 160	Night court assessment	= \$ 1
Conviction assessment	= \$ 140	TVS fee	= \$ 49
Night court assessment	= \$ 1	TVS/DMV admin. fee	= \$ 3
		Correction fee (2 x \$25)	= \$ 50
TOTAL	= \$ 1,074	TOTAL	= \$ 663

4. If the defendant is ordered to attend traffic violator school under VC 41501 for VC 21453(b) and VC 27360.5(a), per VC 42007 the defendant is charged for the greater/more severe of the qualifying offenses: VC 27360.5(a) at \$486 (\$100 + \$290 + \$20 + \$75 + \$1) plus the \$49 and \$3 DMV TVS fee per VC 42007.1 (total of \$538).
5. The charges of VC 21453(b) and VC 27360.5(a) are continued under VC 41501. The charges of VC 24252(a)(1) and VC 26707 are continued pending proof of correction, required under VC 40522 for dismissal.
6. The defendant presents to the court timely evidence that he or she has completed traffic violator school. The VC 21453(b) and VC 27360.5(a) violations are reported under VC 41501. If the defendant submits to the court timely evidence under VC 40616 that the violations of VC 24252(a)(1) and VC 26707 have been corrected, the VC 24252(a)(1) and VC 26707 violations are dismissed under VC 40522, and a \$50 “transaction fee” is charged under VC 40611. A court operations assessment of \$40 is collected and distributed as required by Penal Code section 1465.8 for reporting of VC 21453(b) for completion of traffic violator school, and a criminal conviction assessment of \$35 is collected under Government Code section 70373 for VC 21453(b).
7. The case is closed, with the court collecting \$663 (\$411 + \$49 + 3 + \$50 + \$80 + \$70) plus any fee under VC 11205.2 and deduction of \$1 if the court does not impose a night or weekend court assessment under VC 42006.

**IX. Late Charge**

Vehicle Code section 40310 requires the imposition of a late charge of 50 percent on any traffic penalties not paid within 20 days.



The 20 days shall be counted from the mailing of a notice that the penalty has been assessed. The initial penalty consists of the base fine; a fine enhancement for prior convictions (if any); the state, county, and court facility construction additional penalties; and the emergency medical services penalty, if authorized (Penal Code section 1464 and Government Code sections 70372, 76000, 76000.5, 76104.6, and 76104.7).

**Sample Calculation of Late Penalty**

1. <b>Base fine</b>	<b>\$ 25</b>
2. Enhancement for one prior conviction	+ \$ 10
<b>Enhanced base fine</b>	<b>\$ 35</b>
3. Additional penalties (PC 1464 and GC 70372, 76000, 76000.5, 76104.6, and 76104.7) (\$29* X 4) (*See section III)	+ \$ 116
<b>Initial Penalty</b>	<b>\$ 151</b>
4. Night court assessment (VC 42006)	+ \$ 1
5. Administrative assessment for maintaining a record of priors (VC 40508.6)	+ \$ 10
6. Surcharge on base fine (PC 1465.7)	+ \$ 7
7. Court operations assessment (PC 1465.8)	+ \$ 40
8. Conviction assessment (GC 70373(a)(1))	+ \$ 35
<b>Total Due</b>	<b>\$ 244</b>
9. Late charge (VC 40310) [50% of initial penalty]	+ \$ 75.50
<b>Total Due</b>	<b>\$ 319.50</b>

**X. Offenses Eligible for Correction**

Under Vehicle Code section 40522, an officer arresting for violations specified in Vehicle Code section 40303.5 is required to specify the offense charged and note in a form approved by the Judicial Council that the charge shall be dismissed upon proof of correction. Certain offenses specified in Vehicle Code section 40303.5 are designated in the following schedule as potentially eligible for correction. The offenses designated in the schedule as potentially eligible for correction and those offenses specified by Vehicle Code section 40303.5 that are not contained in the schedule may be eligible for dismissal with proof of correction if the citing officer determines that none of the disqualifying conditions of Vehicle Code section 40610(b) exist. (See *California Highway Patrol v. Superior Court* (2008) 158 Cal.App.4th 726 [riding a motorcycle without wearing any helmet presents an “immediate safety hazard” when an officer makes that determination and issues a noncorrectable citation].) Those disqualifying conditions are present if an officer finds any of the following:

1. Evidence of fraud or persistent neglect;
2. The violation presents an immediate safety hazard;
3. The violator does not agree to, or cannot, promptly correct the violation.
4. The violation cited is of subdivision (a) of Section 27151 for a motorcycle.

If a citation does not indicate that an offense is eligible for correction, a court may presume that the offense is cited as noncorrectable. (See also *California Highway Patrol v. Superior Court*, *supra*, 158 Cal.App.4th at p. 740.) A court retains the discretion, however, to find an offense correctable--even when an officer has not noted it as correctable--where the offense meets the requirements of VC 40610 and 40303.5 and none of the disqualifying conditions are present. (See *California Highway Patrol v. Superior Court*, *supra*, 158 Cal.App.4th at p. 746-747.) Upon proof of correction of an alleged violation of section 12500 or 12951 or any violation cited pursuant to section 40610, Vehicle Code section 40611 authorizes courts to collect a \$25 transaction fee for each violation. No bail amount shall be collected.

In cases alleging violation of Vehicle Code section 4000(a), or alleging that a vehicle is not registered as required by the Vehicle Code, Vehicle Code section 40152 requires that proof of registration or proof of payment of the appropriate registration fees, or proof that the vehicle has been reduced to junk, be produced in court before the offense can be adjudicated as a dismissal.

### **XI. Evidence of Financial Responsibility**

Pursuant to Vehicle Code section 16028(e), upon submission of evidence of financial responsibility, in a form consistent with Vehicle Code section 16020, showing that the driver was in compliance with that section at the time the notice to appear for violating Vehicle Code section 16028 was issued, further proceedings for the violation shall be dismissed and no bail amount shall be collected. Vehicle Code section 40611 authorizes courts to collect a \$25 transaction fee for each violation that is dismissed pursuant to section 16028(e).

### **XII. Parking Violations**

Assembly Bill 408 (Stats. 1992, ch. 1244), effective January 1, 1993, revised and recast the procedures for processing and adjudicating parking law violations as administrative offenses subject to a civil penalty. The bill required courts to transfer the processing of parking offenses to issuing agencies not later than January 1, 1994. Consequently, parking violations that cannot be cited as infractions have been removed from the Uniform Bail and Penalty Schedules.

Vehicle Code section 463 defines “park” or “parking” as the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in the loading or unloading of merchandise or passengers. Under Vehicle Code section 40225(a), equipment violations entered on a notice of parking violation are subject to a civil penalty established according to Vehicle Code section 40225(c). The Traffic Infraction Fixed Penalty Schedule includes Vehicle Code sections that may be cited for a stopping violation on a notice to appear that is signed by the driver. Under Vehicle Code section 42001.13, a violation of disabled parking provisions in Vehicle Code section 22507.8 may be cited as an infraction on a notice to appear. Under Vehicle Code section 42001.5, a violation of Vehicle Code sections 22500(i), 22500(l), and 22522 may be cited as an infraction on a notice to appear. Under Vehicle Code section 42001.6, a violation of Vehicle Code section 22511.1 may be cited as an infraction on a notice to appear. Government Code section 70373 requires a conviction assessment of \$35 for infractions. Government Code section 70372(b) imposes an assessment of \$4.50 on each parking offense. Government Code section 76000.3 imposes a \$3 penalty on every fine imposed for a parking offense.

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points		
28		<sup>1</sup> Failure to Give Notice of Vehicle Repossession	300	300	210		5/10	5	20%	2	40	35	1	0	1306	4a	0		
1680	(a)	Selling or Offering to Sell an Appointment with the DMV	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(a)	Employer's Failure to Obtain, Review, Sign, and Maintain Copy of Report of DMV Record of Driver	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(c)	Employer's Failure to Participate in DMV Pull-Notice System	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(d)	Employer's Failure to Notify DMV to Discontinue Enrollment in Pull-Notice System Upon Termination of Driver's Employment	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(e)	Failure of Specified Drivers to Enroll in DMV Pull-Notice System	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
1808.1	(j)(1)	Employer's Failure to Obtain Copy of Report of Current DMV Record of Casual Driver	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
1808.1	(n)	Failure to Present on Request a Report of DMV Record of Driver of Taxicab	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
2402.6	(a-c,e)	Violation of Regulations or Standards for Operation of Vehicles Using Compressed or Liquefied Gas	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2504		Violation of CHP Licensing Regulations	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2510	(b)(1)	Operation of Private Emergency Vehicle or Armored Car Without CHP Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2807	(b)	Operation of School Bus Without CHP Certificate of Compliance	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2807.1	(b)	Operation of Vehicles Transporting Pupils Without CHP Certificate of Compliance	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2807.2		Failure to Retain Record of Inspection on File for Review by CHP Upon Request	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
2807.3		Operation of Youth Bus Without Display of Appropriate Certificate Verifying Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2810.1	(b)	Unlawfully Transporting Household Goods/Failure to Submit to Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2813.5		Use or Issuance of Unauthorized Inspection Stickers	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
2814		Failure to Stop and Submit to Roadside Passenger Vehicle Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2814.1	(b)	Failure to Stop and Submit to Vehicle Inspection Checkpoint for Exhaust Violations	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2814.2	(a)	Failure to Stop and Submit to Sobriety Checkpoint Inspection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2815		<sup>2</sup> Failure to Obey School Crossing Guard	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	1	
2816		Unlawful to Load/Unload Children Unless Traffic Is Controlled	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0	
2817		Failure to Obey Peace Officer-Funeral Procession	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1	
2818		Traversing Electronic Beacon/Flare/Cone Pattern Set by Public Safety Personnel	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1	
4000	(a)(1)	A	<sup>3</sup> No Evidence of Current Registration	50	50	35		25	25	10	10	205	40	35	1	0	281	1a	0
4000	(a)(1)	B	No Evidence of Current Registration	25	0	0		0	0	0	0	0	0	0	0	25	4a	0	
4000	(b)	A	<sup>3</sup> Vehicle on Highway Registered in Violation of Pollution Control Regulations	50	50	35		25	25	10	10	205	40	35	1	0	281	1a	0
4000	(b)	B	Vehicle on Highway Registered in Violation of Pollution Control Regulations	25	0	0		0	0	0	0	0	0	0	0	25	4a	0	
4000.4	(a)	A	Unregistered California-Based Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4000.4	(a)	B	Unregistered California-Based Vehicle	25	0	0		0	0	0	0	0	0	0	0	25	4a	0	
4000.6	(a)	A	Failure to Submit Application or Declare Accurate Combined Gross Vehicle Weight Pursuant to VC 9400.1	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4000.6	(a)	B	Failure to Submit Application or Declare Accurate Combined Gross Vehicle Weight Pursuant to VC 9400.1	25	0	0		0	0	0	0	0	0	0	0	25	4a	0	

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 1,001–1,500 Pounds in Excess of Declared Gross Vehicle Weight	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 1,501–2,000 Pounds in Excess of Declared Gross Vehicle Weight	300	300	210		150	150	60	60	1230	40	35	1	0	1306	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 10,001 Pounds and Over in Excess of Declared Gross Vehicle Weight	2000	2000	1400		1000	1000	400	400	8200	40	35	1	0	8276	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 2,001–2,500 Pounds in Excess of Declared Gross Vehicle Weight	350	350	245		175	175	70	70	1435	40	35	1	0	1511	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 2,501–3,000 Pounds in Excess of Declared Gross Vehicle Weight	400	400	280		200	200	80	80	1640	40	35	1	0	1716	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 3,001–3,500 Pounds in Excess of Declared Gross Vehicle Weight	450	450	315		225	225	90	90	1845	40	35	1	0	1921	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 3,501–4,000 Pounds in Excess of Declared Gross Vehicle Weight	500	500	350		250	250	100	100	2050	40	35	1	0	2126	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 4,001–4,500 Pounds in Excess of Declared Gross Vehicle Weight	550	550	385		275	275	110	110	2255	40	35	1	0	2331	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 4,501–5,000 Pounds in Excess of Declared Gross Vehicle Weight	600	600	420		300	300	120	120	2460	40	35	1	0	2536	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 5,001–6,000 Pounds in Excess of Declared Gross Vehicle Weight	700	700	490		350	350	140	140	2870	40	35	1	0	2946	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 6,001–7,000 Pounds in Excess of Declared Gross Vehicle Weight	800	800	560		400	400	160	160	3280	40	35	1	0	3356	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 7,001–8,000 Pounds in Excess of Declared Gross Vehicle Weight	900	900	630		450	450	180	180	3690	40	35	1	0	3766	4a	0
4000.6	(d)	Commercial Vehicle With Gross Vehicle Weight Over 10,000 Pounds, 8,001–10,000 Pounds in Excess of Declared Gross Vehicle Weight	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176		
4001	A	Failure to Register Exempt Vehicles and Display License Plate Bearing Distinguishing Marks Indicating Exemption	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4001	B	Failure to Register Exempt Vehicles and Display License Plate Bearing Distinguishing Marks Indicating Exemption	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4004	(a,b)	A Violation of Foreign Commercial Vehicle Temporary Registration or Trip Permit Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4004	(a,b)	B Violation of Foreign Commercial Vehicle Temporary Registration or Trip Permit Requirements	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4152.5	A	Failure to Apply for Registration–Foreign Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4152.5	B	Failure to Apply for Registration–Foreign Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4159	A	Notify DMV of Change of Address Within 10 Days	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4159	B	Notify DMV of Change of Address Within 10 Days	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4160	A	Change of Address on Registration Card	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4160	B	Change of Address on Registration Card	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4161	(a)	A Failure to Notify of Engine/Motor Change	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4161	(a)	B Failure to Notify of Engine/Motor Change	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4301	A	Surrender Evidence of Foreign Registration	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4301	B	Surrender Evidence of Foreign Registration	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4453.6		Failure to Furnish Name and Address to Officer Upon Request	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
4454	(a)	A Failure to Maintain Registration Card With Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4454	(a)	B Failure to Maintain Registration Card With Vehicle	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
4455	A	Failure to Display Temporary Permit–Foreign Commercial Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
4455	B	Failure to Display Temporary Permit-Foreign Commercial Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4456	(a) A	Reporting Vehicle Sale to the DMV	25	30	21		15	15	5	6	117	40	35	1	0	193	4a	0
4456	(a) B	Reporting Vehicle Sale to the DMV	25	0	0		0	0	0	25	0	0	0	0	25	1a	0	
4456	(b)(1) A	Reporting Auction Vehicle Sale to the DMV	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4456	(b)(1) B	Reporting Auction Vehicle Sale to the DMV	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4457	A	Failure to Replace Lost, Damaged Cards and/or Plates	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4457	B	Failure to Replace Lost, Damaged Cards and/or Plates	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4458	A	Both Plates Lost or Stolen	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4458	B	Both Plates Lost or Stolen	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4459	A	Failure to Replace Lost or Damaged Owner's Certificate	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4459	B	Failure to Replace Lost or Damaged Owner's Certificate	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4461	(a)	<sup>4</sup> Improper Use of Evidence of Registration	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4462	(a) A	Failure to Present Evidence of Registration to Officer	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4462	(a) B	Failure to Present Evidence of Registration to Officer	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4462	(b) A	Registration Presented for Wrong Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4462	(b) B	Registration Presented for Wrong Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
4463	(e) (1-4)	<sup>5</sup> Unlawful Act With Clean Air Sticker	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
4464	A	Altered License Plates Displayed on Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
4464	B	Altered License Plates Displayed on Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5011	A	Display of Special Construction Identification Plates	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5011	B	Display of Special Construction Identification Plates	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5017	(a) A	Failure to Attach Identification Plate/Give Notice of Sale or Destruction of Vehicle or Equipment as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5017	(a) B	Failure to Attach Identification Plate/Give Notice of Sale or Destruction of Vehicle or Equipment as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5017	(b) A	Failure to Attach Permanent Identification Plate as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5017	(b) B	Failure to Attach Permanent Identification Plate as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5017	(c) A	Failure to Present Identification Certificate as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5017	(c) B	Failure to Present Identification Certificate as Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5017	(d) A	Failure to Apply for Transfer of Ownership of Vehicle Within 10 Days of Sale	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5017	(d) B	Failure to Apply for Transfer of Ownership of Vehicle Within 10 Days of Sale	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5030	A	Motorized Bicycle Required to Display Plates	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5030	B	Motorized Bicycle Required to Display Plates	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5032	A	Operation of Motorized Bicycle Without Applying for a License Plate Within 5 Days of Purchase	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5032	B	Operation of Motorized Bicycle Without Applying for a License Plate Within 5 Days of Purchase	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5037	(a) A	Motorized Bicycle Without Assigned Plates (post-7/1/81)	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5037	(a) B	Motorized Bicycle Without Assigned Plates (post-7/1/81)	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5037	(b) A	Motorized Bicycle Without Assigned Plates (pre-7/1/81)	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5037	(b) B	Motorized Bicycle Without Assigned Plates (pre-7/1/81)	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5109	A	Transfer or Retention of Environmental Plates	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5109	B	Transfer or Retention of Environmental Plates	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5200	(a) A	Two License Plates-Display Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
5200	(a) B	Two License Plates-Display Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
5200	(b) A	One License Plate-Display Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
5200	(b)	B	One License Plate–Display Specified	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5201	(a)(1-6)	A	Plates Improperly Positioned	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5201	(a)(1-6)	B	Plates Improperly Positioned	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5201	(b)	A	Replace and Destroy Temporary License Plates Upon Receipt of Permanent License Plates	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5201	(b)	B	Replace and Destroy Temporary License Plates Upon Receipt of Permanent License Plates	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5201	(c)	A	Illegal License Plate Covering	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5201	(c)	B	Illegal License Plate Covering	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5201	(d)	A	Reading or Recognition of License Plate by an Electronic Device or Remote Emission Sensing Device Illegally Obstructed or Impaired	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5201	(d)	B	Reading or Recognition of License Plate by an Electronic Device or Remote Emission Sensing Device Illegally Obstructed or Impaired	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5201.1	(a)	A	<sup>6</sup> Sale of Prohibited Product or Device to Obscure License Plate	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
5201.1	(a)	B	<sup>6</sup> Sale of Prohibited Product or Device to Obscure License Plate	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5201.1	(b)	A	<sup>6</sup> Operation of Vehicle With Prohibited Product or Device to Obstruct or Impair Reading or Recognition of License Plate by Electronic or Remote Emission Sensing Device	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
5201.1	(b)	B	<sup>6</sup> Operation of Vehicle With Prohibited Product or Device to Obstruct or Impair Reading or Recognition of License Plate by Electronic or Remote Emission Sensing Device	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5201.1	(c)	A	<sup>6</sup> Erasing, Painting Over, or Altering Reflective Coating of License Plate	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
5201.1	(c)	B	<sup>6</sup> Erasing, Painting Over, or Altering Reflective Coating of License Plate	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5202		A	Period of Display of Plates Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5202		B	Period of Display of Plates Specified	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5204	(a)(1)	A	Current Month and Year Tab Not Properly Attached	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5204	(a)(1)	B	Current Month and Year Tab Not Properly Attached	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5206		A	Present Certificate of Partial-Year Registration	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5206		B	Present Certificate of Partial-Year Registration	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5352		A	Failure to Maintain Annual Registration for Trailer Coach	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5352		B	Failure to Maintain Annual Registration for Trailer Coach	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5604			Noncompliance With Dealer Insurance Notification Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5753	(a-d)		Failure of Private Party to Deliver Certificate of Ownership and Registration Card to Transferee	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5753	(f)		Failure of Private Owner Upon Written Request to Disclose Pertinent Information Regarding Payment or Documents Required for Release	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5900	(a-c)		Notice of Sale/Transfer of Vehicle by Owners Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5902		A	Failure to Notify DMV of Transfer Within 10 Days	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
5902		B	Failure to Notify DMV of Transfer Within 10 Days	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
5906.5	(a,b)		Failure to Notify DMV of Mileage on Transfer of Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
6700	(a-c)	A	Failure to Register Within 20 Days of Specified Circumstances	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
6700	(a-c)	B	Failure to Register Within 20 Days of Specified Circumstances	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
8802		A	Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
8802		B	Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
9102.5	(b)	A	Operation of Private School Bus Without Appropriate License and Payment of Fees	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0

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9102.5	(b)	B	Operation of Private School Bus Without Appropriate License and Payment of Fees	25	0	0	5/10	5	20%	2	40	35	1	0	25	4a	0	
9400	(a-c,f)	A	Commercial Vehicle Weight Fees Due	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
9400	(a-c,f)	B	Commercial Vehicle Weight Fees Due	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
9400.1	(f)	A	Failure to Display Required Gross Vehicle Weight Sticker	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
9400.1	(f)	B	Failure to Display Required Gross Vehicle Weight Sticker	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
9406		A	Failure to Report Alterations Increasing Weight Fees	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
9406		B	Failure to Report Alterations Increasing Weight Fees	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
9564	(c)		Reconstruction of Vehicle Delivered to Scrap Metal Processor Restricted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
10502	(b)		Failure to Inform CHP of Stolen Vehicle Recovery	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
10552			Making Fraudulent Report of Theft of Vessel With Intent to Deceive	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
10852.5		7	Unlawfully Purchasing a Used Catalytic Converter	1000	1000	700	500	500	200	200	4100	40	35	1	0	4176	4a	0
11500	(a)(1)	8	Conducting Business as Automobile Dismantler Without Valid Permit/License	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	0
11754	(a)		Rental of Vehicle Subject to Recall	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
11754	(c)		Ride Share Vehicle Subject to Recall	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12500	(a)	A	9 Unlawful to Drive Unless Licensed	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	0
12500	(a)	B	Unlawful to Drive Unless Licensed	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12500	(b,d)	A	10 Licensed Driver Out of Classification	35	40	28	20	20	7	8	158	40	35	1	0	234	4a	0
12500	(b,d)	B	Licensed Driver Out of Classification	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12500	(c)	A	10 Unlawful to Drive in Offstreet Parking Facility Out of Classification	35	40	28	20	20	7	8	158	40	35	1	0	234	4a	0
12500	(c)	B	Unlawful to Drive in Offstreet Parking Facility Out of Classification	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12500	(e)	10	Operating Motorized Scooter in Violation of Emission Requirements	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12502	(a)(1)		Nonresident Driver Over 18 Without Valid Driver's License	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12502	(a)(2)		Nonresident Driver 21 or Over Transporting Hazardous Material in Commercial Vehicle Without Valid Driver's License and Certificate	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12502	(b)		Nonresident Driver of Commercial Vehicle Without Medical Certificate or Proof As Required	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12502	(c)		Noncompliance of Nonresident Driver With Medical Certificate Requirements	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12509	(d)		Violation of Instruction Permit Restriction	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12509	(d)	A	Driving a Motor Vehicle Without a Required Instruction Permit in Possession	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12509	(d)	B	Driving a Motor Vehicle Without Required Instruction Permit in Possession	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12509	(e)		Violation of Instruction Permit Restriction by Driving Government Vehicle Without Instruction by California National Guard	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12509	(e)	A	Violation of Instruction Permit Restriction by Driving Government Vehicle Without Permit in Possession	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12509	(e)	B	Violation of Instruction Permit Restriction by Driving Government Vehicle Without Permit	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
12509.5	(a)		Violation of Instruction Permit Restriction by Driving a Motorcycle Without Completion of Motorcyclist Safety Program	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12509.5	(c)		Violation of Instruction Permit Restriction by Driving a Motorcycle During Darkness, on a Freeway, or With a Passenger	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
12511		A	Possessing More Than One License	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
12511		B	Possessing More Than One License	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	

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 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
12515	(a)	Minor Under 18 Employed for Purpose of Driving	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12516		Unlawful to Drive School Bus if Under 18	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12517	(a)(1)	A Operation of School Bus Without Appropriate Driver's License in Possession While Transporting Pupils	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12517	(a)(1)	B Operation of School Bus Without Appropriate Driver's License in Possession While Transporting Pupils	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12517	(b)	A Operation of School Pupil Activity Bus Without Appropriate Driver's License in Possession	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12517	(b)	B Operation of School Pupil Activity Bus Without Appropriate Driver's License in Possession	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12521	(a,b)	Tour Bus Driver Required to Use Safety Belt/Report Tour Bus Accidents	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12522	(a)	Noncompliance With First Aid Exam Requirement for School Bus Operators	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12523	(a)	A Operation of Youth Bus Without Required License and Certificate	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12523	(a)	B Operation of Youth Bus Without Required License and Certificate	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12523	(d)	Noncompliance With Youth Bus Operation Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	2a	0
12523.5	(a)	A Paratransit Bus Driver Must Have Special Endorsement	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12523.5	(a)	B Paratransit Bus Driver Must Have Special Endorsement	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12524	(a)	A Operation of Vehicle Hauling Controlled Quantities of Radioactive Materials Without Appropriate License or Certificate	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	0
12524	(a)	B Operation of Vehicle Hauling Controlled Quantities of Radioactive Materials Without Appropriate License or Certificate	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12804.11	(a)	A Operation of Firefighting Equipment Without License or Endorsement	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12804.11	(a)	B Operation of Firefighting Equipment Without License or Endorsement	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12804.6	(a)	A Operation of Transit Bus Without Appropriate Certificate	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12804.6	(a)	B Operation of Transit Bus Without Appropriate Certificate	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12804.6	(f)	Unlawful for Employer to Permit Person to Drive Transit Bus Without a Valid Certificate	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12804.9	(c)	A Operation of Commercial Motor Vehicle Without Required Medical Certificate	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12804.9	(c)	B Operation of Commercial Motor Vehicle Without Required Medical Certificate	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12804.9	(j)	A Operation of Vanpool Vehicle Without Required Medical Exam Evidence and DUI Conviction History Statement	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12804.9	(j)	B Operation of Vanpool Vehicle Without Required Medical Exam Evidence and DUI Conviction History Statement	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12814.6	(a)(1)	A Failure to Carry Instruction Permit as Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12814.6	(a)(1)	B Failure to Carry Instruction Permit as Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12814.6	(b)(1)	A <sup>11</sup> Failure to Obey Licensing Provisions	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12814.6	(b)(2)	A Violation of Provisional License Driving Restrictions	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12814.6	(b)(2)	B Violation of Provisional License Driving Restrictions	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12815	(a)	A Must Obtain Duplicate if Original License Lost, Destroyed, or Mutilated	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12815	(a)	B Must Obtain Duplicate if Original License Lost, Destroyed, or Mutilated	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12950		A Failure to Sign Driver's License	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12950		B Failure to Sign Driver's License	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
12951	(a)	A No Valid License in Possession	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12951	(a)	B No Valid License in Possession	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0



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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
12952	A	Failure to Display License to Court Upon Request	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
12952	B	Failure to Display License to Court Upon Request	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
13003		Failure to Apply for Replacement Identification Card Upon Mutilation and/or Failure to Surrender ID Card Within 10 Days of Notification That Card Is Mutilated	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
13007		Identification Card Holder to Notify DMV of Address Change Within 10 Days	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
13386	(b)(1)	Furnishing of Information by Manufacturer to Use Ignition Interlock Device Contrary to Certified Purpose	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
13386	(c)	Altering of Ignition Interlock Device Functionality by Installer, Service Center, or Technician	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
13386	(i)	Prohibition of Disclosure of Individuals Required to Install Ignition Interlock Device	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14600	(a)	A Failure to Notify DMV of Address Change Within 10 Days	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14600	(a)	B Failure to Notify DMV of Address Change Within 10 Days	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
14600	(b)	A Failure to Present DMV Change of Address Form to Peace Officer	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14600	(b)	B Failure to Present DMV Change of Address Form to Peace Officer	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
14601.1	(a)	<sup>12</sup> Driving Motor Vehicle or Off-Highway Motor Vehicle While Suspended or Revoked for Offenses Not Relating to Driving Ability	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	2
14603	A	Violation of License Restrictions	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
14603	B	Violation of License Restrictions	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
14605	(a)	Permitting Unlicensed Parking Lot Attendant to Drive	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14605	(b)	Hiring Unlicensed Parking Lot Attendant to Drive	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14606	(a)	Employing/Hiring/Permitting/Authorizing Person to Drive on Highway Without License Required for Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14606	(b)	Failure by Employer to Report Within 10 Days Failure of Commercial Driver on Reexamination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14606	(c)	<sup>13</sup> Failure of Employer to Obtain and Retain Copy of Medical Certification of Driver of Commercial Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14607		Permitting Unlicensed Minor to Drive	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14608	(a)	License and Inspection of License Required for Rental of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
14611		<sup>14</sup> Knowingly Permit Transportation of Radioactive Materials Without Required License	5000	5000	3500		2500	2500	1000	1000	20500	40	35	1	0	20576	1a	0
15240	(a-d)	Employer Allowing, Permitting, or Requiring Driving of Commercial Motor Vehicle as Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15250	(a)(1)	A Commercial Driver's License Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15250	(a)(1)	B Commercial Driver's License Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
15250	(a)(2)	A Commercial Driver's License With Hazardous Materials Endorsement Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15250	(a)(2)	B Commercial Driver's License With Hazardous Materials Endorsement Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
15275	(a)	A Person Driving Commercial Vehicle Must Have Any Required Endorsements	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15275	(a)	B Person Driving Commercial Vehicle Must Have Any Required Endorsements	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
15309.5	(a)(1)	<sup>15</sup> Sell, Offer, Distribute, or Use Crib Sheet or Device for Commercial Driver's License Examination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
15309.5	(a)(2)	<sup>15</sup> Impersonate or Allow Impersonation of Applicant for Commercial Driver's License Examination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15309.5	(a)(3)	<sup>15</sup> Provide or Use Unauthorized Assistance During Commercial Driver's License Examination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15500		Acquisition of Vehicle by Minor Without Valid Driver's License	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
15620	(a) (1,2)	<sup>16</sup> Leaving Child 6 Years of Age or Younger Unattended in Motor Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	2a	0
16000	(a)	Accident Report Required Within 10 Days of Accident	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
16002	(a)	Failure to Report Work-Related Accidents	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
16003		Failure of Owner to Report Accident Where Driver Is Incapable of Doing So	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
16020	(a)	Failure to Carry Evidence of Financial Responsibility	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
16025	(a)	<sup>17</sup> Failure to Exchange Mandatory Information at Scene of Accident	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
16028	(a)	<sup>18</sup> Failure to Provide a Peace Officer Evidence of Financial Responsibility	200	200	140		100	100	40	40	820	40	35	1	0	896	4a	0
16457		Driving Vehicle Not Covered by Certificate of Proof of Financial Responsibility/Knowing Failure to Disclose Ownership or Subsequent Acquisition of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
16502	(a)	Failure to Maintain Proof of Financial Responsibility During Use of Vehicle in Conduct of Business	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
20004		Delay in Reporting Accident by Driver in Accident Resulting in Death of a Person	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1
20006		Failure to Present Valid Identification Upon Collision With Another Party	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
20008	(a,b)	Failure to Report Accident Within 24 Hours	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
20010		Driver Unable to Report Accident	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21070		<sup>19</sup> Unsafe Operation of a Motor Vehicle in Violation of Division 11 Provision Causing Bodily Harm	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	0
21070		<sup>20</sup> Unsafe Operation of a Motor Vehicle in Violation of Division 11 Provision Causing Great Bodily Harm	95	100	70		50	50	19	20	404	40	35	1	0	480	4a	0
21100.3		Failure to Obey Traffic Directions	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21106	(b)	Use of Crosswalks Where Prohibited by Sign	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21113	(a) (1)	Unlawful Driving on Public Grounds	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21116	(a)	Unlawful Driving on Levee, Canal Bank, etc.	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21201	(a-d)	A Equipment Requirements for Bicycles	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21201	(a-d)	B Equipment Requirements for Bicycles	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
21201.5	(a,b)	Selling Bicycle Without Required Reflectors	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21202	(a)	Bicyclist at Less Than Normal Speed Must Keep to Right	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21203		Illegal for Bicyclist to Hitch Ride on Other Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21204	(a,b)	Riding Bicycle on Other Than Permanent Seat	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21205		Illegal for Bicyclist to Carry Articles That Prevent Keeping One Hand on Handlebar	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21207.5	(a)	<sup>21</sup> Illegal Operation of Motorized Bicycle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21208	(a,b)	Riding Outside Bicycle Lane Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21209	(a)	Motor Vehicle in Bicycle Lane Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21210		<sup>22</sup> Bicycle Parked—Impeding Pedestrian Traffic Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21211	(a,b)	Illegally Impeding Bicycle Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21212	(a)	<sup>23</sup> Under 18 Shall Not Operate Bicycle, Nonmotorized Scooter, or Skateboard/Wear In-line or Roller Skates/Ride Bicycle, Nonmotorized Scooter, or Skateboard as Passenger Without a Helmet	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
21213	(a)	Operation of Class 3 Electric Bicycle by Person Under 16 Years of Age	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21213	(b)	Violation of Helmet Requirement for Class 3 Electric Bicycle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21215.2	(a)	<sup>24</sup> Violating Restrictions on Consumption of Alcoholic Beverages in Pedicab	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21221		<sup>25</sup> Motorized Scooter Operation Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21221.5		<sup>25</sup> Operating a Motor Scooter While Under the Influence	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
21223	(a-c)	<sup>25</sup> Motorized Scooter Equipment Requirements During Darkness	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21226	(b,c)	<sup>25</sup> Violation of Motorized Scooter Muffler Equipment Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21226	(d)	<sup>25</sup> Violation of Motorized Scooter Exhaust/Noise Level Requirements/Operation of Motorized Scooter With Unlawfully Modified Exhaust System	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21228		<sup>25</sup> Operating Motorized Scooter at Less Than Normal Speed of Traffic	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21229	(a,b)	<sup>25</sup> Failure to Operate Motorized Scooter in Bicycle Lane	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21235	(a-j)	<sup>25</sup> Illegal Operation of Motorized Scooter	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21260	(a), (b)(2)	Illegal Operation of Low-Speed Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21281.5	(a-d)	Illegal Operation of Electrical Personal Assistive Mobility Device	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21291		<sup>26</sup> Operation of Electrically Motorized Board by Person Under 16 Years of Age	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21292		<sup>26</sup> Operation of Electrically Motorized Board by Person Without Wearing Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21293	(a-c)	<sup>26</sup> Operation of Electrically Motorized Board During Darkness Without Required Equipment	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21294	(a-c)	<sup>26</sup> Illegal Operation of Electrically Motorized Board	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21296	(a)	<sup>26</sup> Operation of Electrically Motorized Board While Under Influence of Alcohol or Drug	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
21300	(a)	<sup>27</sup> Under 18 Riding Equestrian Animal without Helmet	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21300	(b)	<sup>27</sup> Failure to Ride Equestrian Animal with Proper Safety Equipment During the Hours of Darkness	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21367	(b,c)	Failure to Obey Traffic Control/Devices at Construction Site	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21451	(a,b)	"Green" Signal–Vehicular Responsibilities	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21451	(c,d)	"Green" Signal–Pedestrian Responsibilities	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21452	(b)	Failure of Pedestrian to Properly Respond to Signal of Yellow Light or Arrow	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21453	(a),(c)	<sup>28</sup> "Red" Signal–Vehicular Responsibilities	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21453	(b)	<sup>29</sup> "Red" Signal–Vehicular Responsibilities with Right Turn	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21453	(d)	"Red" Signal–Pedestrian Responsibilities	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21454	(c)	<sup>28</sup> Lane Use–Red Control Signal	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21454	(d)	Lane Use–Flashing Yellow Control Signals	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21455		Traffic Control Signal at Other Than Intersection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21457	(a)	<sup>28</sup> Actions Required at Flashing Red Signal	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21457	(b)	Actions Required at Flashing Yellow Signal	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21460	(a-c)	Improper Turns Over Double Lines/Solid Lines to Right Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21460.5	(c)	Improper Turn From Two-Way Left-Turn Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21461	(a)	Driver Failure to Obey Signs/Signals	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21461.5		Pedestrian Failure to Obey Signs/Signals	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21462	(a)	Disobedience of Driver or Streetcar Motorist to Traffic Control Signal	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21462	(a)	Disobedience of Pedestrian or Person in Control of an Animal to Traffic Control Signal	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
21463		No Person Shall Illegally Operate Signals	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21464	(a)	Unauthorized Interference With Traffic Device Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21464	(b)	Unauthorized Use of Traffic Interference Device	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21464	(c)	Unauthorized Possession or Distribution of Traffic Interference Device	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21464	(e)	<sup>30</sup> Willful Interference With Traffic Device or Willful Use, Possession, or Distribution of Traffic Interference Device That Does Not Result in Injury	500	500	350		250	250	100	100	2050	40	35	1	0	2126	4a	0
21465		Placement of Unauthorized Traffic Devices Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21466		Unlawful Display of Light Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21466.5		Light Impairing Driver's Vision Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21650		Failure to Keep to Right Side of Road	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21650.1		Bicycle to Travel in Same Direction as Vehicles	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21651	(a)	Driving Across Dividing Section on Freeway Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21652		Improperly Entering or Leaving Highway or Service Road	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21654	(a)	Slow-Moving Vehicles Keep to Right Edge of Roadway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21655	(b)	Failure to Use Designated Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21655.1	(a)	<sup>31</sup> Driving in Restricted Use Designated Transit-Only Traffic Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21655.5	(b)	Improper Use of Preferential Lanes	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
21655.8	(a)	<sup>32</sup> Driving Over Double Lines of Preferential Lanes	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21655.9	(b)	Driving Low Emission Vehicle Without Required Decal or Label	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21656		Failure of Vehicle to Turn Out As Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21657		Driving Against One-Way Traffic Patterns	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21658	(a,b)	Lane Straddling/Failure to Use Specified Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21659		Unsafe Driving on Three-Lane Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21660		Failure of Approaching Vehicles to Pass to the Right	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21661		Right-of-Way Rule--Narrow Grades	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21662	(a,b)	Mountains--Keep to Right--Use Horn	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21663		Driving on Sidewalk Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21664		Failure to Use Designated Freeway On-/Off-Ramp Properly	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21700		Load/Passengers Not to Obstruct Driver's View	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21701		Interference With Driver's Control of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21703		Following Too Closely Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21704	(a)	Trucks/Trailers Following Too Closely Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21705		Caravans Following Too Closely Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21706		Following Emergency Vehicles Too Closely Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21706.5	(b)	Operation of Vehicle in Unsafe Manner in an Emergency Incident Zone	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1
21707		Driving Within 300 Feet of Fire Areas Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21708		Running Over Unprotected Fire/Chemical Hose Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21709		Driving Within Safety Zone Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21710		Coasting in Neutral on Downgrade Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21711		Whipping or Swerving Towed Vehicle Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21712	(a)	Allowing Riding on Portion of Vehicle Not Designed for Passenger Use Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21712	(b)	Unlawful Riding on Vehicle Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21712	(c)	<sup>33</sup> Driver Permitting Riding in Trunk of Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21712	(d)	<sup>33</sup> Riding in Trunk of Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
21712	(g)	Towing Trailer Coach, Camp Trailer, or Trailer Carrying Vessel That Contains Passenger	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
21712	(h)	Driving While Towing Person Riding on Motorcycle, Motorized Bicycle, Bicycle, Coaster, Roller Skates, Sled, Skis, or Toy Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21714	(a)	Use of Three-Wheeled Vehicle On or Adjacent to Striping or Markers	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21714	(b)	Designating Adjacent Traffic Lanes																
21714	(b)	Use of Three-Wheeled Vehicle Between Two or More Vehicles Traveling in Adjacent Traffic Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21715	(a,b)	Exceeding Passenger Vehicle Towing Combination Limits	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21716		Golf Cart Operation Restricted	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
21717		Turning Across Bicycle Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21718	(a)	Stopping, Parking, or Leaving Vehicle Standing Upon a Freeway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21720		Unlawful Operation of Pocket Bike	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21750		Overtaking and Passing Unsafely	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21751		Passing Without Sufficient Clearance	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21752	(a,b,d)	Driving Left of Center–Limited View/Within 100 Feet of Bridge, Viaduct, Tunnel/Within 100 Feet or When Traversing Intersection–Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21752	(c)	<sup>34</sup> Driving Left of Center–Within 100 Feet or When Traversing Railroad Grade Crossing–Prohibited	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21753		Failure to Yield to Overtaking Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21754		Improper Passing on Right Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21755	(a)	Unsafe Passing on Right Shoulder	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21756	(a-c)	Unsafe Passing of Standing Streetcar, Trolley Coach, or Bus Safety Zones	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21757		Passing Street Car on Left Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21758		Unsafe Passing on Grades Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21759		Failure to Exercise Caution When Passing Animals	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21760	(b)	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Unsafely	220	220	154		110	110	44	44	902	40	35	1	0	978	4a	1
21760	(b)	Overtaking or Passing Bicycle Unsafely	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
21760	(c)	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle at Distance of Less Than Three Feet	220	220	154		110	110	44	44	902	40	35	1	0	978	4a	1
21760	(c)	Overtaking or Passing Bicycle at Distance of Less Than Three Feet, Move Over Slow Down Exception	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
21760	(d)	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	220	220	154		110	110	44	44	902	40	35	1	0	978	4a	1
21760	(d)	Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
21761	(a,b)	Safely Passing a Waste Removal Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21800	(a-c)	Violation of Right-of-Way/Uncontrolled Intersection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21800	(d)	Violation of Right-of-Way/Controlled Intersection With Inoperative Control Signals	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21801	(1, 2)																	
21801	(a,b)	Violation of Right-of-Way–Left Turn	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21802	(a,b)	Violation of Right-of-Way–Entering Through Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21803	(a,b)	Violation of "Yield" Sign	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21804	(a,b)	Entering Highway From Alley or Driveway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21805	(b)	Violation of Right-of-Way at Equestrian Crossing	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21805	(c)	Violation of Right-of-Way by Rider–Posing Hazard	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21806	(a,b)	<sup>35</sup> Failure to Yield to Emergency Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
21806	(c)	<sup>35</sup> Failure to Yield to Emergency Vehicle–Pedestrian	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
21807		Driving Authorized Emergency Vehicle Without Due Regard for Safety of Persons and Property	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21809	(a)	<sup>36</sup> Failure to Slow Down or Change Lane When Approaching and Passing Stationary Emergency Vehicle or Tow Truck Displaying Specific Lights	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21950	(a,c)	Driver to Yield Right-of-Way at Crosswalks	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21950	(b)	Pedestrian Right-of-Way at Crosswalks Regulated	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21951		<sup>37</sup> Overtaking Vehicles Stopped for Pedestrians	100	100	70		50	50	20	20	410	40	35	1	0	486	2a	1
21952		Failure to Yield Right-of-Way on Sidewalk to Pedestrian	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21953	(a)	Pedestrian Must Use Tunnel or Overhead Crossing	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21954	(a)	Pedestrians Must Yield Right-of-Way Outside of Crosswalks	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21954	(b)	Failure of Driver to Exercise Due Care for Safety of Pedestrian on Roadway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21955	(a)	<sup>38</sup> Crossing Between Controlled Intersections (Jaywalking)	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21956	(a)	Pedestrian on Roadway Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21957		Soliciting Ride (Hitchhiking) Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21959		Skiing or Tobogganing Across Highway Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21960	(a)	<sup>39</sup> Violation of Freeway or Expressway Use Restrictions by Pedestrian, Motor-Driven Cycle, Motorized Bicycle, or Motorized Scooter	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
21966	(a)	Pedestrian Prohibited in Bicycle Lane	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21968		Motorized Skateboard Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
21970	(a)	Vehicle Stopped Unnecessarily and Blocking Crosswalk or Sidewalk	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
21971		<sup>40</sup> Violating Specified Provisions and Causing Bodily Injury	220	220	154		110	110	44	44	902	40	35	1	0	978	4a	0
22100	(a,b)	Turn at Intersection From Wrong Position	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22100.5		U-Turn at Controlled Intersection	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22101	(d)	Violating Special Traffic Control Markers	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22102		Illegal U-Turn in Business District	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22103		Illegal U-Turn in Residential District	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22104		Illegal U-Turn Near Fire Station	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22105		Illegal U-Turn on Highway Without Unobstructed View	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22106		Unsafe Starting or Backing on Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22107		Unsafe Turn or Lane Change Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22108		Signal Required Before Turning or Changing Lanes	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22109		Sudden Stopping Without Signaling	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22110	(a,b)	Hand/Lamp Signal Not Given	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22111	(a-c)	Hand Signals Improperly Given	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22112	(a-e)	School Bus Driver Misuse of Signals; Improper Stop; Failure to Escort Pupils	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22348	(b)	<sup>41</sup> Speeding Over 100 MPH Prohibited	200	200	140		100	100	40	40	820	40	35	1	0	896	4a	2
22348	(c)	Failure of Vehicles Subject to VC 22406 to Use Designated Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22349	(a)	Speeding ≥ 26 MPH Over 65 MPH Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22349	(a)	Speeding 1–15 MPH Over 65 MPH Limit	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
22349	(a)	Speeding 16–25 MPH Over 65 MPH Limit	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1
22349	(b)	Speeding ≥ 26 MPH Over 55 MPH Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22349	(b)	Speeding 1–15 MPH Over 55 MPH Limit	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
22349	(b)	Speeding 16–25 MPH Over 55 MPH Limit	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1
22350		<sup>42</sup> Unsafe Speed for Prevailing Conditions ≥ 26 MPH Over Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22350		<sup>42</sup> Unsafe Speed for Prevailing Conditions 1–15 MPH Over Limit	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
22350		<sup>42</sup> Unsafe Speed for Prevailing Conditions 16–25 MPH Over Limit	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1

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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
22351	(a,b)	Driving in Excess of Prima Facie Speed Limits Established in VC 22352															4a	1
22352	(a) (1)	Operating Vehicle in Excess of 15 MPH at Railroad Crossing															4a	1
22352	(a) (2)	Operating Vehicle in Excess of 15 MPH at Freeway Intersection With No Clear Field of Vision															4a	1
22352	(a) (3)	Operating Vehicle in Excess of 15 MPH on Any Alley															4a	1
22352	(b) (1)	Operating Vehicle in Excess of 25 MPH in Business District															4a	1
22352	(b) (2)	Operating Vehicle in Excess of 25 MPH by School															4a	1
22352	(b) (3)	Operating Vehicle in Excess of 25 MPH by Senior Center															4a	1
22354	(a)	Failure to Abide by Speed Limits Set by the State Department of Transportation (DOT) on State Highways															4a	1
22355		Failure to Abide by Variable Speed Limits Set by the State Department of Transportation (DOT)															4a	1
22356	(b)	Exceeding 70 MPH Maximum Speed, ≥ 26 MPH Over Limit															4a	1
22356	(b)	Exceeding Maximum Speed Limit of 70 MPH, 1–15 MPH Over Limit															4a	1
22356	(b)	Exceeding Maximum Speed limit of 70 MPH, 16–25 MPH Over Limit															4a	1
22357		Violation of Prima Facie Local Speed Limit															4a	1
22358		Violation of Local Speed Limit															4a	1
22358.3		Violation of Local Speed Limit on Narrow Street															4a	1
22358.4		Violation of Prima Facie Local Speed Limit															4a	1
22360		Violation of Local Speed Limits Between Business and Residence Districts															4a	1
22361		Violation of Speed Limit on Multiple Lane Highways															4a	1
22362		Violation of Speed Limit Surrounding Special Work Crews															4a	1
22363		Violation of DOT or Local Speed Limit Set for Snow or Ice															4a	1
22364		Violation of Speed Limit Set by DOT on State Highways															4a	1
22400	(a,b)	Minimum Speed Law–Impeding Traffic Flow	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22405	(a)	Exceeding Maximum Posted Speeds on Bridge/Tube/Tunnel, ≥ 26 MPH Over Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22405	(a)	Exceeding Maximum Posted Speeds on Bridge/Tube/Tunnel, 1–15 MPH Over Limit	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
22405	(a)	Exceeding Maximum Posted Speeds on Bridge/Tube/Tunnel, 16–25 MPH Over Limit	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1
22406	(a)	<sup>43</sup> Truck or Tractor 10 MPH or More Over 55 MPH Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22406	(a)	<sup>43</sup> Truck or Tractor 1–9 MPH Over 55 MPH Limit	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	1
22406	(b-f)	<sup>44</sup> Posted Speed for Designated Vehicles	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	1
22406	(b-f)	<sup>44</sup> Posted Speed for Designated Vehicles–In Excess of Speed Limit by 10 MPH or More	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22406.1	(b)	<sup>45</sup> Commercial Licensee Exceeding Speed Limit by more than 15 MPH in Non-Commercial Vehicle															4a	1
22406.5		<sup>46</sup> Driving Tank Vehicle at Excessive Speed	500	500	350		250	250	100	100	2050	40	35	1	0	2126	4a	1
22407		<sup>44</sup> Posted Speed for Designated Vehicles	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	1
22407		<sup>44</sup> Posted Speed for Designated Vehicles–In Excess of Speed Limit by 10 MPH or More	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22409		Speed Limit for Solid Tire Vehicle ≥ 26 MPH Over Limit	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22409		Speed Limit for Solid Tire Vehicle 16–25 MPH Over Limit	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1
22409		Speed Limit for Solid Tire Vehicle, 1–15 MPH Over Limit	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	1
22410		Exceeding Speed Limit for Metal Tire Vehicles	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22411		Operating a motorized scooter at a speed in excess of 15 miles per hour	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
22413		Violation of Speed Limit Set by Local Authority for Steep Grades				[See Speed Chart]											4a	1
22450	(a)	Failure to Stop at Stop Sign	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
22450	(b)	<sup>47</sup> Failure to Stop at Stop Sign at Railroad Grade Crossing	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22451	(a,b)	<sup>47</sup> Failure to Stop for Train Signals/Closed Gates	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22452	(b)	<sup>47</sup> Failure of Certain Vehicles to Stop at Railroad Crossings	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22452	(c)	<sup>47</sup> Failure of Commercial Vehicle to Stop at Railroad Crossings	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	1
22454	(a)	<sup>48</sup> Passing School Bus With Flashing Signals	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	1
22455	(a)	Vending From Vehicle Without Coming to a Complete Stop or Parking the Vehicle Lawfully	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22456	(d)	Failure to Equip Ice Cream Truck With Required Warning Sign	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
22456	(e)(1-3)	Vending From an Ice Cream Truck Under Prohibited Conditions	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22500	(i)	<sup>49</sup> Parking in Bus Loading Area	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
22500	(l)	<sup>49</sup> Parking at Curb Constructed to Provide Wheelchair Accessibility	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
22500	(m)	A Stopping Or Parking In Designated Public Transit Bus Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22500.1		Stopping in Designated Fire Lane	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22504	(a)	Unincorporated Area Stopping	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22505	(b)	Unauthorized Stopping on State Highway Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22507.8	(a-c)	<sup>50</sup> Violation of Disabled Parking Provisions	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
22511.1	(a)	<sup>50</sup> Infraction Violation for Parking/Standing in Space for Charging Electric Vehicle While Not Connected for Charging Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
22511.1	(a)	<sup>50</sup> Infraction Violation for Parking/Standing in Space for Charging Electric Vehicle While Not Connected for Charging Vehicle and Proof of Valid Zero-Emission Decal Possessed at Time of Violation But Not Displayed	25	30	21		15	15	5	6	117	40	35	1	0	193	4a	0
22511.1	(b)	<sup>50</sup> Infraction Violation for Obstructing, Blocking, or Barring Access to Space for Charging Electric Vehicle	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
22511.1	(b)	<sup>50</sup> Infraction Violation for Obstructing, Blocking, or Barring Access to Space for Charging Electric Vehicle and Proof of Valid Zero-Emission Decal Possessed at Time of Violation But Not Displayed	25	30	21		15	15	5	6	117	40	35	1	0	193	4a	0
22515	(a,b)	Unattended Vehicles	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22516		Locking Vehicle With Person Inside Unable to Escape	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22517		Opening Door on Traffic Side When Unsafe	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22520.5	(a)	Vending on Freeway Right-of-Way Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22520.6	(a)	Unauthorized Activities at Highway Rest Area/Vista Point Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22522		Parking Near Sidewalk Access Ramp for Disabled	250	250	175		125	125	50	50	1025	40	35	1	0	1101	4a	0
22523	(a,b)	<sup>51</sup> Vehicle Abandonment Prohibited	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
22526	(a,b)	<sup>52</sup> Blocking Intersection (Gridlock) Prohibited--A Stopping Violation Issued on a Notice to Appear	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
22526	(c)	<sup>47</sup> Blocking Railroad or Rail Transit Crossing Due to Low Undercarriage (Gridlock) Prohibited--A Stopping Violation Issued on a Notice to Appear	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
22526	(d)	Blocking Railroad or Rail Transit Crossing (Gridlock) Prohibited--A Stopping Violation Issued on a Notice to Appear	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22650	(a)	Unauthorized Removal of Unattended Vehicle From Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22651.7	(b)	Immobilization of Vehicle by Unauthorized Person	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22658	(e)(2)	Property Owner, Owner's Agent, or Lessee Causing Unlawful Removal of Vehicle Parked on Property as Permitted	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	2a	0
22951		Parking Lot--Street and Alley Parking	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
22952	(a,b)	Vehicle Towing or Removal From Parking Lot	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0



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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
23109	(c)	<sup>53</sup> Engaging in or Abetting Exhibition of Speed Prohibited	75	80	56		40	40	15	16	322	40	35	1	0	398	4a	2
23111		<sup>54</sup> Throwing Lighted Substance on Highway Prohibited	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
23112	(a,b)	<sup>54</sup> Dumping Material on Highway/Right-of-Way Prohibited	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
23113	(a)	<sup>54</sup> Failure to Remove Material From Highway	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	0
23114	(a)	Spilling Load on Highway Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23114	(b)	Aggregate Material Carried Improperly or Transported Without Required Equipment	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23114	(e)	Transporting Uncovered Aggregate Material Upon Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23114	(f)	Failure to Provide Location for Compliance With Load Covering Requirements or to Cover Load Within Required Distance	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23115	(a)	Rubbish Vehicle Cover Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23116	(a)	Transportation of Persons Without Restraints Restricted	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
23116	(b)	Riding in or on the Back of Truck or Flatbed Motor Truck Being Driven on Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23117	(a)	<sup>55</sup> Transportation of Animals Without Restraints Restricted	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
23120		Side Vision Obstructed by Temple Width of Glasses	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23123	(a)	<sup>56</sup> Driving While Using a Wireless Telephone Not Configured for Hands-free Use	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
23123.5	(a)	<sup>57</sup> Driving Motor Vehicle While Holding and Operating a Handheld Wireless Telephone or Electronic Wireless Communications Device	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
23124	(b)	<sup>58</sup> Driving While a Minor and Using a Wireless Telephone or Electronic Wireless Communications Device	20	20	14		10	10	4	4	82	40	35	1	0	158	4a	0
23125	(a)	Driving School Bus or Transit Vehicle While Using a Wireless Phone	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
23128	(a)	Snow Mobile—Operation on Highway Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23128	(b-d)	Snow Mobile—Negligent Operation, Pursuing Game, or Trespassing Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23129		Unobstructed Camper Exit Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23135		<sup>59</sup> Operation of Modified Motorized Bicycle Restricted	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
23136	(a)	Minor (Under 21) Driving With Blood Alcohol Level of .01 or Greater	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23140	(a)	<sup>60</sup> Minor (Under 21) Driving With Blood Alcohol Level of .05 or Greater	100	100	70		50	50	20	20	410	40	35	1	0	486	4a	2
23154	(a)	Driving With Blood Alcohol Level of .01 or Greater While on Probation for Violation of VC 23152 or VC 23153	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23220	(a)	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product While Driving Off-Highway Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23220	(b)	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product While Riding as a Passenger Off-Highway Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23221	(a)	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Driver Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1
23221	(b)	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Passenger Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23222	(a)	Possession of Open Container While Driving Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	1
23222	(b)(1)	<sup>61</sup> Possession of Open Container of Cannabis by Driver	70	70	49		35	35	14	14	287	40	35	1	0	363	4a	1
23223	(a)	<sup>62</sup> Possession of Open Container by Driver Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23223	(b)	Possession of Open Container by Passenger Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23225	(a)(1)	<sup>62</sup> Storage of Open Container Restricted	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23226	(a)	Storage by Driver of Open Container in Passenger Compartment Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
23226	(b)	Storage by Passenger of Open Container in Passenger Compartment Prohibited	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
23270	(a)	Unauthorized Towing on Bridge Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
23270	(b)	Exceeding Maximum Towing Fee Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(a)(1)	<sup>63</sup> Refusal to Pay Toll Charge Prohibited	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(a)(2)	<sup>63</sup> Unauthorized Placement of Toll Transponder	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(a)(3)	<sup>63</sup> Unauthorized Placement of Toll Transponder for Motorcycle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(b)	<sup>63</sup> Failure to Display Transponder or Toll Device on Vehicular Crossing or Toll Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(c)	<sup>63</sup> Failure to Possess Money, Transponder, or Toll Device, or to Have License Plates Attached as Required on Vehicular Crossing or Toll Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23302	(d)	<sup>63</sup> Failure to Possess Transponder or Toll Device as Required on Vehicular Crossing or Toll Highway With Pay-by-Plate Payment	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23330	(a,d)	Unauthorized Use of Vehicle Crossing--Animals/Vehicles	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23330	(b)	Unauthorized Use of Vehicle Crossing--Bicycles	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23330	(c)	Unauthorized Use of Vehicle Crossing-- Overwidth Vehicles	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23331		Unauthorized Use of Vehicle Crossing-- Pedestrians	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
23333		<sup>22</sup> Vehicular Crossing--Unauthorized Stopping or Standing	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
23336		<sup>64</sup> Failure to Obey Posted Signs on Vehicle Crossings	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
23576	(a,b)	Driving Employer's Vehicle Without Notice of Ignition Interlock Device Restriction as Required by VC 23575	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
24002	(a)	Unlawful to Operate Unsafe Vehicle--Safety Hazard	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
24002	(b)	A Unlawful to Operate Vehicle Not Equipped as Provided	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
24002	(b)	B Unlawful to Operate Vehicle Not Equipped as Provided	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
24002	(c)	Unlawful for Motor Carrier to Require Driver to Operate Vehicle without Training or Experience to Ensure Cargo is Properly Located, Distributed, and Secured	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
24002	(d)	Unlawful to Operate Vehicle without Familiarity of Securing Cargo	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
24002	(e)	Failure to Comply with Section 392.9 of Title 49 of the Code of Federal Regulations	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
24003	A	Vehicle With Unauthorized Lamps	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
24003	B	Vehicle With Unauthorized Lamps	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
24004		Unlawful Operation After Notice of Unsafe Condition	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
24005		Sale or Transfer of Unlawful Equipment w/ Knowledge That Equipment Will be Used or Installed in a Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
24005.5		Sale of Unapproved Materials for Use in Strapping Regulated Loads	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
24006		Sale of New Motor Vehicle Equipment Without Required Trademarks or Designations	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
24007	(a,b)	Sale by Retailer of Vehicle Failing to Qualify for Certificate of Compliance	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
24007	(d)	Not Providing a Purchaser With a Valid Vehicle Safety Systems Certificate of Compliance	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
24007.2		Failure to Install Exhaust-Control Device Free of Charge to Low-Income Senior Citizen as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
24007.5	(a)(1)	Sale by Auctioneer or Public Agency of Vehicle Failing to Qualify for Certificate of Compliance	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
24007.5	(b)	Failure of Consignor to Provide Certificate of Compliance to Purchaser of Vehicle	25	30	7	5/10	5	20%	2	117	40	35	1	0	193	1a	0
24007.5	(g)	Failure of Auctioneer to Certify Compliance With DMV Standards and Deliver Bill of Sale	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24008.5	(a)	A Maximum Frame Height Defined	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24008.5	(a)	B Maximum Frame Height Defined	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24009		Sale of New Truck, Tractor, or Bus Without Indication of Manufacturer's Name and Gross Vehicle Weight Rating as Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24010		Vehicle Renter Responsibility	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
24011	(a,b)	Sale of Vehicle or Equipment Regulated by Federal Safety Standards Without Certification of Vehicle or Equipment Compliance	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24012		A Failure to Comply With CHP Lighting and Mounting Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24012		B Failure to Comply With CHP Lighting and Mounting Specifications	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24013		Failure to Disclose Minimum Octane Number Upon Sale of New Motor Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24013.5		Failure to Disclose Required Information Upon Sale of New Light Duty Truck	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24014	(a,b)	Motorcycles Required Pricing Information	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24015	(a)	A Failure of Motorized Bicycle Equipment to Comply With Federal Safety Standards	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24015	(a)	B Failure of Motorized Bicycle Equipment to Comply With Federal Safety Standards	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24015	(b)	A Use of Motorized Bicycle on Highway Without Mirror, Horn, or Muffler as Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24015	(b)	B Use of Motorized Bicycle on Highway Without Mirror, Horn, or Muffler as Required	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24016	(a)(2)	Illegal Operation of Motor on Electric Bicycle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24016	(a)(2)	Illegal Operation of Motor on Electric Bicycle	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24016	(d)	Illegal Modification of Electric Bicycle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24016	(d)	Illegal Modification of Electric Bicycle	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24017	(a)	A Maintenance of Transit Bus Speedometer Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24017	(a)	B Maintenance of Transit Bus Speedometer Required	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24019	(a)	A Gross Motor Vehicle Weight with Illuminated Malfunction Indicator Light	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24019	(a)	B Gross Motor Vehicle Weight with Illuminated Malfunction Indicator Light	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24019	(d)	Operation of Vehicle Found with Willfully Tampered Emission Controls	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24020	(a)	Dealer Selling New or Used Vehicle without Catalytic Converter Permanently Marked	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	0
24250		A Lighting Equipment to Be Lighted During Darkness	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24250		B Lighting Equipment to Be Lighted During Darkness	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24252	(a-c)	A Maintenance of Lamps and Devices Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24252	(a-c)	B Maintenance of Lamps and Devices Required	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24253	(a)	A Battery Requirements for Vehicle–Lighting Equipment	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24253	(a)	B Battery Requirements for Vehicle–Lighting Equipment	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24253	(b)	A Battery Requirements for Motorcycle–Lighting Equipment	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24253	(b)	B Battery Requirements for Motorcycle–Lighting Equipment	25	0	0	0	0	0	0	25	0	0	0	0	25	4a	0
24255	(a,c)	A Infrared Lighting System Equipment Violation	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
24255	(a,c)	B	Infrared Lighting System Equipment Violation	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24255	(b)	A	Operation of Infrared Lighting System Without Use of Headlights	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
24255	(b)	B	Operation of Infrared Lighting System Without Use of Headlights	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24400	(a)	A	Headlamp Equipment Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24400	(a)	B	Headlamp Equipment Requirements	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24400	(b)		Failure to Operate Headlamps as Required During Darkness or Inclement Weather	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24401		A	Failure to Dim Lights While Vehicle Is Parked or Standing on a Public Highway	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24401		B	Failure to Dim Lights While Vehicle Is Parked or Standing on a Public Highway	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24402	(a,b)	A	Auxiliary Driving and Passing Lamps Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24402	(a,b)	B	Auxiliary Driving and Passing Lamps Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24403	(a)	A	Maximum Fog Lamps Not to Be Used in Place of Headlamps	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24403	(a)	B	Maximum Fog Lamps Not to Be Used in Place of Headlamps	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24403	(b)	A	Fog Lamps on Vehicle Improperly Mounted or Aimed	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24403	(b)	B	Fog Lamps on Vehicle Improperly Mounted or Aimed	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24403	(c)	A	Fog Lamps on Motorcycle Improperly Mounted or Aimed	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24403	(c)	B	Fog Lamps on Motorcycle Improperly Mounted or Aimed	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24404	(a,b)	A	Spotlamps–Number and Wattage Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24404	(a,b)	B	Spotlamps–Number and Wattage Specified	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24404	(c,e)	A	Spotlamps–Direction Defined	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24404	(c,e)	B	Spotlamps–Direction Defined	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24405	(a)	A	Maximum Number of Lamps Allowed to Be Lighted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24405	(a)	B	Maximum Number of Lamps Allowed to Be Lighted	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24406		A	Use of Multiple Beams Restricted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24406		B	Use of Multiple Beams Restricted	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24407	(a)	A	High Beams–Adjustment Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24407	(a)	B	High Beams–Adjustment Specified	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24407	(b)	A	Low Beams–Adjustment Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24407	(b)	B	Low Beams–Adjustment Specified	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24408	(a,b)	A	High/Low Beam Indicator Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24408	(a,b)	B	High/Low Beam Indicator Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24409	(a,b)	A	Failure to Dim Multiple Beams Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
24409	(a,b)	B	Failure to Dim Multiple Beams Prohibited	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24410	(a)	A	Single Beams–Adjustment/Intensity Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24410	(a)	B	Single Beams–Adjustment/Intensity Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24411		A	Covering Auxiliary Lamps Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24411		B	Covering Auxiliary Lamps Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24600	(a-f)	A	Tail Lamp Requirements and Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24600	(a-f)	B	Tail Lamp Requirements and Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24601		A	License Plate Lamp Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24601		B	License Plate Lamp Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24602	(a,b)	A	Fog Tail Lamp Requirements and Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24602	(a,b)	B	Fog Tail Lamp Requirements and Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24603	(a-i)	A	Stop Lamp Requirements and Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24603	(a-i)	B	Stop Lamp Requirements and Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24604	(a)	A	Lamps/Flag on Load Projecting to Rear Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
24604	(a)	B	Lamps/Flag on Load Projecting to Rear Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24604	(b)	A	Flag on Load Projecting to Rear Required for Wide Loads	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
24604	(b)	B	Flag on Load Projecting to Rear Required for Wide Loads	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24605	(a)	A	Tow Cars and Towed Vehicles–Lights Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24605	(a)	B	Tow Cars and Towed Vehicles–Lights Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24605	(b)	A	Tow Cars and Towed Vehicles–Lights Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24605	(b)	B	Tow Cars and Towed Vehicles–Lights Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24606	(a,b,d)	A	Backup Lamp Requirements and Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24606	(a,b,d)	B	Backup Lamp Requirements and Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24606	(c)	A	Backup Lamps–When Not to Be Lighted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24606	(c)	B	Backup Lamps–When Not to Be Lighted	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24607	(a-d)	A	Reflectors Required on Rear of Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24607	(a-d)	B	Reflectors Required on Rear of Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24608	(a-d)	A	Light Reflectors on Trucks/Trailers–Front and Sides	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24608	(a-d)	B	Light Reflectors on Trucks/Trailers–Front and Sides	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24609	(a)	A	Vehicle Reflector Requirements and Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24609	(a)	B	Vehicle Reflector Requirements and Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24609	(b)	A	School Bus Reflector Requirements and Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24609	(b)	B	School Bus Reflector Requirements and Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24610		A	Truck Reflector Requirements and Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24610		B	Truck Reflector Requirements and Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24612	(a)	A	Failure to Display Reflective Material on Trailer or Semitrailer as Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24612	(a)	B	Failure to Display Reflective Material on Trailer or Semitrailer as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24612	(c)	A	Failure to Display Reflective Material on Trailer or Semitrailer as Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24612	(c)	B	Failure to Display Reflective Material on Trailer or Semitrailer as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24615		A	Slow-Moving Vehicle–Emblem Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24615		B	Slow-Moving Vehicle–Emblem Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24800		A	Driving With Only Parking Lights Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
24800		B	Driving With Only Parking Lights Prohibited	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24950		A	Turn Signal Device Required–Towing Trailer	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24950		B	Turn Signal Device Required–Towing Trailer	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24951	(b,c)	A	Turn Signals Required on Certain Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24951	(b,c)	B	Turn Signals Required on Certain Vehicles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24952		A	Visibility Requirement of Signals	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24952		B	Visibility Requirement of Signals	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
24953	(a-d)	A	Turn Signal Lamp Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
24953	(a-d)	B	Turn Signal Lamp Requirements	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25100	(a-c, e,f)	A	Clearance and Side Marker Lamp Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25100	(a-c, e,f)	B	Clearance and Side Marker Lamp Requirements	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25102		A	Lamps on Sides of Vehicles–Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25102		B	Lamps on Sides of Vehicles–Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25102.5	(a)	A	Lamps on Sides of School Buses–Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25102.5	(a)	B	Lamps on Sides of School Buses–Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25103	(a,b)	A	Lamp During Darkness on Load Projecting to Side	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
25103	(a,b)	B	Lamp During Darkness on Load Projecting to Side	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25104	(a)	A	Flag Required on Overwidth During Daylight Hours	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25104	(a)	B	Flag Required on Overwidth During Daylight Hours	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25104	(b)	A	Flag Required on Wide Load During Daylight Hours	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25104	(b)	B	Flag Required on Wide Load During Daylight Hours	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25105	(a-c)	A	Failure to Comply With Code Specifications for Courtesy Lamps, Door-Mounted Lamp, or Exterior Lamp	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25105	(a-c)	B	Failure to Comply With Code Specifications for Courtesy Lamps, Door-Mounted Lamp, or Exterior Lamp	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25106	(a,b)	A	Side, Cowl, or Fender Flaps-Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25106	(a,b)	B	Side, Cowl, or Fender Flaps-Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25107		A	Cornering Lamps on Fenders	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25107		B	Cornering Lamps on Fenders	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25108	(a,b)	A	Pilot Indicator Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25108	(a,b)	B	Pilot Indicator Specifications	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25109		A	Running Lamps to Be Used Only When Vehicle Is Parked	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25109		B	Running Lamps to Be Used Only When Vehicle Is Parked	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25110	(b)	A	Improper Use of Utility Flood/Loading Lamps	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
25110	(b)	B	Improper Use of Utility Flood/Loading Lamps	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25250		A	Flashing Lights Restricted Unless Otherwise Permitted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25250		B	Flashing Lights Restricted Unless Otherwise Permitted	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25251	(b)	A	Turn Signals Flashed as Warning When Vehicle Disabled	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25251	(b)	B	Turn Signals Flashed as Warning When Vehicle Disabled	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25251.2		A	Motorcycle Modulating Headlamp Prohibited During Darkness	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25251.2		B	Motorcycle Modulating Headlamp Prohibited During Darkness	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25252		A	Warning Lamps Required on Emergency Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25252		B	Warning Lamps Required on Emergency Vehicles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25252.5	(a,c)	A	Unauthorized Use of Flashing Emergency Headlamps	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25252.5	(a,c)	B	Unauthorized Use of Flashing Emergency Headlamps	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25253	(a)	A	Warning Lamps Required on Tow Trucks	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25253	(a)	B	Warning Lamps Required on Tow Trucks	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25253	(c)	A	Improper Display of Warning Lamps by Tow Truck	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
25253	(c)	B	Improper Display of Warning Lamps by Tow Truck	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25254		A	Improper Use of Flashing Amber Warning Lights by Peace Officer Personnel	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25254		B	Improper Use of Flashing Amber Warning Lights by Peace Officer Personnel	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25257	(a)	A	Flashing Red Signal System Required on School Bus	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25257	(a)	B	Flashing Red Signal System Required on School Bus	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25257	(b)(1)	A	School Bus Manufactured After 9-1-92 Required to Be Equipped With Stop Signal Arm	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25257	(b)(1)	B	School Bus Manufactured After 9-1-92 Required to Be Equipped With Stop Signal Arm	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25257	(b)(2)	A	School Bus Manufactured After 7-1-93 Required to Be Equipped With Flashing Amber Light System	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25257	(b)(2)	B	School Bus Manufactured After 7-1-93 Required to Be Equipped With Flashing Amber Light System	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points		
25257.2	A	Improper Use of the Amber Light Signal System, Flashing Red Light Signal System, or Stop Signal Arm by School Bus Transporting Developmentally Disabled Persons	25	10/10	7		5/10	5	20%	2	40	35	1	0	193	1a	0		
25257.2	B	Improper Use of the Amber Light Signal System, Flashing Red Light Signal System, or Stop Signal Arm by School Bus Transporting Developmentally Disabled Persons	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25260.4	A	Improper Display of Flashing Amber Warning Lights in Connection With Hazardous Waste Spill Cleanup	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25260.4	B	Improper Display of Flashing Amber Warning Lights in Connection With Hazardous Waste Spill Cleanup	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25262	A	Use of Red Light on Armored Car Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25262	B	Use of Red Light on Armored Car Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25265	A	Improper Display of Flashing Amber Lights on Sanitary District Repair Vehicles	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25265	B	Improper Display of Flashing Amber Lights on Sanitary District Repair Vehicles	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25266	A	Improper Display of Flashing Amber Warning Lights by State-Owned Vehicles Engaged in Aqueduct, Levee, or Stream Measurement Work	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25266	B	Improper Display of Flashing Amber Warning Lights by State-Owned Vehicles Engaged in Aqueduct, Levee, or Stream Measurement Work	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25268	A	Use of Flashing Amber Warning Lights Restricted	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25268	B	Use of Flashing Amber Warning Lights Restricted	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25269	A	Misuse of Red Warning Light Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25269	B	Misuse of Red Warning Light Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25270	A	Improper Use of Warning Lamps on Pilot Car Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25270	B	Improper Use of Warning Lamps on Pilot Car Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25270.5	A	Improper Display of Flashing Amber Lights by Livestock-Herding Vehicles on Public Highways	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25270.5	B	Improper Display of Flashing Amber Lights by Livestock-Herding Vehicles on Public Highways	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25275	A	Improper Display of Amber Flashing Lights on Truck Tractor in the Absence of Unusual Traffic Hazard	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25275	B	Improper Display of Amber Flashing Lights on Truck Tractor in the Absence of Unusual Traffic Hazard	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25275.5	A	Unlawful Activation of Crime Alarm Lights	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0	
25275.5	B	Unlawful Activation of Crime Alarm Lights	25	0	0		0	0	0	25	0	0	0	0	25	4a	0		
25276	(a)	A	Improper Use of Warning Lamps on Vehicle for Transportation of Disabled Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25276	(a)	B	Improper Use of Warning Lamps on Vehicle for Transportation of Disabled Prohibited	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25300	(a)	A	Warning Device on Disabled Vehicles Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25300	(a)	B	Warning Device on Disabled Vehicles Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25300	(b,c,e)	A	Warning Device on Disabled Vehicles Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
25300	(b,c,e)	B	Warning Device on Disabled Vehicles Specified	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25300	(d)(2)	A	Display on Warning Device Near Disabled Commercial Vehicle	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0
25300	(d)(2)	B	Display on Warning Device Near Disabled Commercial Vehicle	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
25300	(d)(3)	A	Placement and Display of Warning Device Near Disabled Commercial Vehicle	70	70	49		35	35	14	14	287	40	35	1	0	363	3a	0

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
25300	(d)(4)	A	Use of Flame Producing Emergency Signal Near Vehicles Transporting Explosives, Flammable Liquid, or Gas	70	70	49	5/10	5	20%	2	40	35	1	0	363	3a	0	
25301	(a,b)	A	Display of Warning Devices on Utility Vehicles Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25301	(a,b)	B	Display of Warning Devices on Utility Vehicles Specified	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25305	(a-c)	A	Use of Fusees Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25305	(a-c)	B	Use of Fusees Specified	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25350		A	Noncompliance With Vehicle Code Standards for Illuminated Identification Signs	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25350		B	Noncompliance With Vehicle Code Standards for Illuminated Identification Signs	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25351	(a-c)	A	Identification Lamp Specifications and Restrictions	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25351	(a-c)	B	Identification Lamp Specifications and Restrictions	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25352	(a)	A	Use of Unauthorized Device Affecting Traffic Signals	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25352	(a)	B	Use of Unauthorized Device Affecting Traffic Signals	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25352	(b)	A	Unauthorized Use of Device Affecting Traffic Signals	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25352	(b)	B	Unauthorized Use of Device Affecting Traffic Signals	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25352	(c)	A	Failure to Give Emergency Vehicles Priority in Changing Traffic Control Signals	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
25352	(c)	B	Failure to Give Emergency Vehicles Priority in Changing Traffic Control Signals	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25353		A	Violation of Provisions for Transit Bus Illuminated Signs	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25353		B	Violation of Provisions for Transit Bus Illuminated Signs	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25400	(a-d)	A	Specifications for Use of Diffused Light	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25400	(a-d)	B	Specifications for Use of Diffused Light	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25401		A	Diffused Lights Resembling Signs Prohibited	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25401		B	Diffused Lights Resembling Signs Prohibited	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25452		A	Glaring Acetylene Lamps Prohibited	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25452		B	Glaring Acetylene Lamps Prohibited	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25500	(a)	A	Use of Reflectorizing Material Restricted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25500	(a)	B	Use of Reflectorizing Material Restricted	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25650		A	Motorcycle Headlight Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25650		B	Motorcycle Headlight Requirements	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25650.5		A	Headlight Equipment for Post-1978 Motorcycles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25650.5		B	Headlight Equipment for Post-1978 Motorcycles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25651	(a,c)	A	Headlamp Requirements on Motor-Driven Cycles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25651	(a,c)	B	Headlamp Requirements on Motor-Driven Cycles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25803	(a,b)	A	Lamp/Reflector Requirements--Certain Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25803	(a,b)	B	Lamp/Reflector Requirements--Certain Vehicles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25803	(c)	A	Lamp/Reflector/Flag Requirements--Load in Excess of 100-Inch Outside Width	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25803	(c)	B	Lamp/Reflector/Flag Requirements--Load in Excess of 100-Inch Outside Width	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25805		A	Lamps on Forklift Trucks Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25805		B	Lamps on Forklift Trucks Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25950	(a,b)	A	Color Requirements of Lights Visible to Front and Rear	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25950	(a,b)	B	Color Requirements of Lights Visible to Front and Rear	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
25951		A	Lamps Over 300 Candlepower--Restrictions	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25951		B	Lamps Over 300 Candlepower--Restrictions	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	



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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
25952	(a,b)	A	Lamps and Reflectors Mounted on Loads Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
25952	(a,b)	B	Lamps and Reflectors Mounted on Loads Specified	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26100	(a)	A	Sale of Noncompliant Vehicle Equipment/Device	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26100	(b)	A	Use or Operation of Vehicle With Noncompliant Equipment	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26100	(b)	B	Use or Operation of Vehicle With Noncompliant Equipment	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26101	(a)	A	Sale of Device Intended to Modify Vehicle Lighting or Equipment Performance to Be Noncompliant	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26101	(b)	A	Use or Operation of Vehicle With Noncompliant Device Intended to Modify Lighting or Equipment Performance	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26101	(b)	B	Use or Operation of Vehicle With Noncompliant Device Intended to Modify Lighting or Equipment Performance	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26301		A	Power Brakes Required on Vehicle Over 14,000 Pounds	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26301		B	Power Brakes Required on Vehicle Over 14,000 Pounds	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26301.5		A	Noncompliant Emergency Brake System	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26301.5		B	Noncompliant Emergency Brake System	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26302	(a-d)	A	Brake Requirements on Trailer Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26302	(a-d)	B	Brake Requirements on Trailer Specified	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26303		A	Brake Requirements on Trailer Coaches/Camp Trailers	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26303		B	Brake Requirements on Trailer Coaches/Camp Trailers	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26304	(a,b)	A	Breakaway Device Required on Certain Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26304	(a,b)	B	Breakaway Device Required on Certain Vehicles	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26307		A	Unlawful Towing of Forklift Lacking the Required Brakes	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26307		B	Unlawful Towing of Forklift Lacking the Required Brakes	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26311	(a)	A	Service Brakes Required--All Wheels on Certain Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26311	(a)	B	Service Brakes Required--All Wheels on Certain Vehicles	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26311	(b)	A	Service Brakes for Adverse Road Conditions Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26311	(b)	B	Service Brakes for Adverse Road Conditions Specified	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26311	(c)	A	Service Brake Required--Stopping Distance As Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26311	(c)	B	Service Brake Required--Stopping Distance As Specified	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26450		A	Required Brake Systems Defined	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26450		B	Required Brake Systems Defined	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26451	(a-c)	A	Parking Brake Requirements Defined	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26451	(a-c)	B	Parking Brake Requirements Defined	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26452		A	Adequate Brakes After Engine Failure Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26452		B	Adequate Brakes After Engine Failure Required	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26453		A	Condition of Brakes to Be Maintained	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26453		B	Condition of Brakes to Be Maintained	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26454	(a,b)	A	Control and Stopping Requirements Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26454	(a,b)	B	Control and Stopping Requirements Specified	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26456		A	Tests of Brake Performance Prohibited Over 25 MPH	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
26456		B	Tests of Brake Performance Prohibited Over 25 MPH	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26457		A	Stopping Ability of Certain Vehicles Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26457		B	Stopping Ability of Certain Vehicles Specified	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26458	(a)	A	Braking System Required for Certain Vehicles/Combinations	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
26458	(a)	B	Braking System Required for Certain Vehicles/Combinations	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
26458.5		A	Unlawful Use of Secondary Brake Control in Absence of Service Brake System Failure	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1

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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
26458.5	B	Unlawful Use of Secondary Brake Control in Absence of Service Brake System Failure	25	0	0		5/10	5	20%	2	40	35	1	0	25	4a	0	
26502	(a) A	Airbrake Requirements Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26502	(a) B	Airbrake Requirements Specified	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26503	A	Airbrake Safety Valve to Be Maintained in Good Condition	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26503	B	Airbrake Safety Valve to Be Maintained in Good Condition	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26504	A	Failure to Comply With CHP Air Pressure Standards for Vehicles Equipped With Air Brakes	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26504	B	Failure to Comply With CHP Air Pressure Standards for Vehicles Equipped With Air Brakes	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26505	A	Pressure Gauge Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26505	B	Pressure Gauge Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26506	(a) A	Air Pressure Warning Device Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26506	(a) B	Air Pressure Warning Device Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26507	A	Check Valve Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26507	B	Check Valve Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26508	(a-c, e-k,o) A	Compressed Air Brake System Requirements Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26508	(a-c, e-k,o) B	Compressed Air Brake System Requirements Specified	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26520	A	Vacuum Gauge Required to Be Visible and Accurate at All Times	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26520	B	Vacuum Gauge Required to Be Visible and Accurate at All Times	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26521	A	Audible/Visible Power Brake System Warning Device Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26521	B	Audible/Visible Power Brake System Warning Device Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26522	A	Check Valve Required on Vacuum-Assisted Power Brake Systems	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
26522	B	Check Valve Required on Vacuum-Assisted Power Brake Systems	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26700	(a) A	Adequate Windshield Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26700	(a) B	Adequate Windshield Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26701	(a-e) A	Safety Glazing Material Requirements Specified	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26701	(a-e) B	Safety Glazing Material Requirements Specified	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26703	(a,b) A	Specifications for Replacement of Safety Glazing Materials	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26703	(a,b) B	Specifications for Replacement of Safety Glazing Materials	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26705	A	Sale of Motorcycle Windshield Without Safety Glazing Material	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26705	B	Sale of Motorcycle Windshield Without Safety Glazing Material	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26706	(a,b) A	Self-Operating Windshield Wiper Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26706	(a,b) B	Self-Operating Windshield Wiper Required	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26707	A	Condition/Use of Windshield Wipers to Be Maintained	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26707	B	Condition/Use of Windshield Wipers to Be Maintained	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26708	(a)(1) A	Unlawful Material on Vehicle Windshield/ Windows	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26708	(a)(1) B	Unlawful Material on Vehicle Windshield/ Windows	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26708	(a)(2) A	Unlawful Material on Vehicle Windshield/Windows Obstructing or Reducing View of Driver	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26708	(a)(2) B	Unlawful Material on Vehicle Windshield/Windows Obstructing or Reducing View of Driver	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26708.2	A	Use of Unauthorized Sun Screening Devices	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26708.2	B	Use of Unauthorized Sun Screening Devices	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
26708.5	(a) A	Application of Material to Windows Restricted	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
26708.5	(a) B	Application of Material to Windows Restricted	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0

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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
26709	(a)(1)(2)	A	Rearview Mirrors Required/One on Left Side	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26709	(a)(1)(2)	B	Rearview Mirrors Required/One on Left Side	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
26709	(b)	A	Two Side Rearview Mirrors Required on Certain Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26709	(b)	B	Two Side Rearview Mirrors Required on Certain Vehicles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
26710	(a)	A	Defective Windshield/Rear Window Glass	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26710	(a)	B	Defective Windshield/Rear Window Glass	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
26710	(b)	A	Operating any Motor Vehicle Described in Section 34500 Upon a Highway When the Condition of the Windshield Is Other Than Described in Section 393.60(c) of Title 49 of the Code of Federal Regulations	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26710	(b)	B	Operating any Motor Vehicle Described in Section 34500 Upon a Highway When the Condition of the Windshield Is Other Than Described in Section 393.60(c) of Title 49 of the Code of Federal Regulations	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
26711		A	Failure to Provide Eshades to Bus or Trolley Drivers	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26711		B	Failure to Provide Eshades to Bus or Trolley Drivers	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
26712	(a)	A	Adequate Defroster Required on For-Hire Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
26712	(a)	B	Adequate Defroster Required on For-Hire Vehicles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27000	(a)	A	Adequate Horn Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27000	(a)	B	Adequate Horn Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27000	(b)	A	<sup>65</sup> Backing Alarm Required on Refuse or Garbage Trucks	150	150	105	75	75	30	30	615	40	35	1	0	691	4a	0
27000	(b)	B	Backing Alarm Required on Refuse or Garbage Trucks	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27000	(c)	A	<sup>65</sup> Rear View Camera Required for Refuse or Garbage Truck	150	150	105	75	75	30	30	615	40	35	1	0	691	4a	0
27000	(c)	B	Rear View Camera Required for Refuse or Garbage Truck	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27000	(d)(1)	A	Automatic Backup Alarm Required for Specified Construction Vehicles Transporting to and from a Mine or Construction Site	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27000	(d)(1)	B	Automatic Backup Alarm Required for Specified Construction Vehicles Transporting to and From a Mine or Construction Site	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27001	(a)	A	Unnecessary Use of Horn Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
27002	(a)	A	Use of Siren by Unauthorized Personnel or in Noncompliance With CHP Standards	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
27002	(a)	B	Use of Siren by Unauthorized Personnel or in Noncompliance With CHP Standards	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27003		A	Unlawful Use of Siren by Armored Car	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
27007		A	Use of Audible Sound System Outside of Vehicle Restricted	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
27150	(a)	A	Adequate Muffler Required to be Properly Maintained	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27150	(a)	B	Adequate Muffler Required to be Properly Maintained	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27150	(b)	A	Adequate Muffler Required to Be Properly Maintained	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27150	(b)	B	<sup>66</sup> Adequate Muffler Required to Be Properly Maintained	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27150.1		A	<sup>67</sup> Sale of Exhaust System Restricted	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27150.3	(a)	A	<sup>68</sup> Modification of Exhaust System With a Whistle-tip	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
27150.3	(a)	B	Modification of Exhaust System With a Whistle-tip	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27150.3	(b)	A	<sup>68</sup> Operation of Exhaust System With a Whistle-tip	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
27150.3	(b)	B	Operation of Exhaust System With a Whistle-tip	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27150.3	(c)		<sup>69</sup> Engage in Business Installing Exhaust System Whistle-tip	1000	1000	700	500	500	200	200	4100	40	35	1	0	4176	4a	0
27151	(a)	A	Modification of Exhaust System Prohibited	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27151	(a)	B	Modification of Exhaust System Prohibited, Other than Motorcycle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27152		A	Exhaust Pipe Specifications	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
27152	B	Exhaust Pipe Specifications	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
27153	(a,b)	A	Excessive Smoke, Fumes, etc., Defined	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27153	(a,b)	B	Excessive Smoke, Fumes, etc., Defined	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27153	(d)		Excessive Smoke, Fumes, etc., Defined with Willfully Tampered Emission Controls	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27153.5	(a,b)	A	<sup>71</sup> Motor Vehicle Exhaust Standards Specified	250	250	175	125	125	50	50	1025	40	35	1	0	1101	4a	0
27153.5	(a,b)	B	Motor Vehicle Exhaust Standards Specified	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27154		A	Gases/Fumes Should Not Penetrate Cab of Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27154		B	Gases/Fumes Should Not Penetrate Cab of Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27154.1	(a)	A	Opening in Floor of Vehicle Allowing Penetration of Fumes or Fire	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27154.1	(a)	B	Opening in Floor of Vehicle Allowing Penetration of Fumes or Fire	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27154.1	(b)	A	Floor of Vehicle Permeated with Oil	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27154.1	(b)	B	Floor of Vehicle Permeated with Oil	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27155		A	Proper Fuel Tank Cap Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27155		B	Proper Fuel Tank Cap Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27156	(a,b,c,f)	A	<sup>72</sup> Air Pollution Control Device Required	50	50	35	25	25	10	10	205	40	35	1	0	281	4a	0
27156	(a,b,c,f)	B	Air Pollution Control Device Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27158			Pollutant Emission Certificate Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27158.1	(a)	A	Maintaining a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27158.1	(a)	B	Maintaining a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27158.2	(a)		Presenting a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27158.2	(b)		Presenting a Heavy-Duty Vehicle Inspection and Maintenance Compliance Certificate Not for That Vehicle	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
27158.5			Pollutant Emission Certificate Required (1955-65 Models)	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27200	(d,e)		Sale of a New Motor Vehicle Exceeding EPA's Maximum Noise Standards	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27302			Sale of Seatbelts Failing to Comply With CHP Standards	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27304		A	Seatbelt Not Installed in Driver Training Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27304		A	Seatbelt Not Used in Driver Training Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	4a	0
27304		B	Seatbelt Not Installed in Driver Training Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	1a	0	
27304		B	Seatbelt Not Used in Driver Training Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27305		A	Safety Belts Required on Firefighting Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27305		B	Safety Belts Required on Firefighting Vehicles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27314	(a,b)		Failure to Provide Required Seatbelts Prior to Sale of Any Used Passenger Vehicle Dated 1972 to 1990	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27315	(d)(1,3,4)	A	<sup>73</sup> Mandatory Use of Safety Belts Required	20	20	14	10	10	4	4	82	40	35	1	0	158	4a	0
27315	(e)	A	<sup>73</sup> Mandatory Use of Safety Belts Required	20	20	14	10	10	4	4	82	40	35	1	0	158	4a	0
27315	(f)	A	<sup>73</sup> Owner to Maintain Safety Belts in Working Condition	20	20	14	10	10	4	4	82	40	35	1	0	158	4a	0
27315	(f)	B	Owner to Maintain Safety Belts in Working Condition	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27315.1		A	Noncompliance With CHP Seatbelt Regulations While in a Fully Enclosed Three-Wheeled Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27315.1		B	Noncompliance With CHP Seatbelt Regulations While in a Fully Enclosed Three-D926 Wheeled Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27318	(a-d)		<sup>74</sup> Safety Belts for Passengers on Buses	20	20	14	10	10	4	4	82	40	35	1	0	158	4a	0
27319	(a)		<sup>75</sup> Safety Belts for Drivers on Buses	20	20	14	10	10	4	4	82	40	35	1	0	158	4a	0

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
27319	(b)	A	<sup>75</sup> Safety Belts for Drivers on Buses	20	20	14	10	10	4	4	82	40	35	1	0	158	4a	0
27319	(b)	B	<sup>75</sup> Safety Belts for Drivers on Buses	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27360	(a)	A	<sup>76</sup> Mandatory Use of Child Passenger Restraints in Rear Seat Required for Children Under 8 as Specified	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	1
27360	(b)		<sup>77</sup> Securing a Child Under Age 2 in a Rear-Facing Child Passenger Restraint System	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	1
27360.5	(a)	A	<sup>76</sup> Mandatory Use of Safety Belt or Child Restraint System Required for Children 8 or Older, but Under 16, as Specified	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	1
27363	(b)	A	Transportation of Child in Case of Life-Threatening Emergency in Vehicle or Emergency Vehicle With No Child Restraint System Without Use of Seatbelt	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
27363	(f)	A	Transportation of Child in Rear-Facing Child Passenger Restraint System in Front Seat of Vehicle With Active Frontal Airbag	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
27363.5	(a,b)		Failure of Hospital, Clinic, or Birthing Center to Provide Information About Child Passenger Restraint Requirements and Contact Information	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
27365	(a)(1)		<sup>78</sup> Rental Agencies Required to Inform Customers About Child Restraint Requirements, Provide for Rental of Child Passenger Restraint System	100	100	70	50	50	20	20	410	40	35	1	0	486	4a	0
27368		A	Failure to Abide by Safety Standards and Regulations for Child Passengers in Fully Enclosed Three-Wheeled Vehicles	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
27368		B	Failure to Abide by Safety Standards and Regulations for Child Passengers in Fully Enclosed Three-Wheeled Vehicles	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27375	(a)	A	<sup>79</sup> Violation of Door or Window Requirement for Modified Limousine	70	70	49	35	35	14	14	287	40	35	1	0	363	3a	0
27375	(a)	B	<sup>79</sup> Violation of Door or Window Requirement for Modified Limousine	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27375	(b)		Failure of Limousine Driver to Unlock Rear Doors for Passengers to Open for Fire or Emergency	70	70	49	35	35	14	14	287	40	35	1	0	363	3a	0
27375	(c)(1)		Failure of Limousine Owner or Operator to Instruct Passengers on Vehicle Features and Communication With the Driver	70	70	49	35	35	14	14	287	40	35	1	0	363	3a	0
27375	(c)(2)		Failure of Limousine Owner or Operator to Disclose Whether the Limousine Meets Current Safety Requirements	70	70	49	35	35	14	14	287	40	35	1	0	363	3a	0
27375	(c)(3)		Failure of Limousine Owner or Operator to Disclose Whether the Limousine Is Exempt From Safety Requirements For Emergency Escape	70	70	49	35	35	14	14	287	40	35	1	0	363	3a	0
27400		A	Headsets, Ear Plugs, or Earphones In or Over Both Ears Prohibited	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27425	(a)	A	Charter Bus Emergency Lighting	70	70	49	35	35	14	14	287	40	35	1	0	363	3a	0
27450	(a-c)	A	Noncompliance With Minimum Tire Thickness Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27450	(a-c)	B	Noncompliance With Minimum Tire Thickness Requirements	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27452		A	Noncompliance With CHP Uniform Tire Thickness Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27452		B	Noncompliance With CHP Uniform Tire Thickness Requirements	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27453		A	Use of Noncompliant Dual Solid Rubber Tires	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27453		B	Use of Noncompliant Dual Solid Rubber Tires	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27454		A	Use of Tires Containing Prohibited Projections Beyond Tread of the Tire's Surface	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27454		B	Use of Tires Containing Prohibited Projections Beyond Tread of the Tire's Surface	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
27455	(a)		Sale of Inner Tube That Is Noncompliant With CHP Inner Tube Standards	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
27455	(b)		Installation of Inner Tube That Is Noncompliant With CHP Inner Tube Standards	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
27459	A	Tire Chains or Snow Tires Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27459	B	Tire Chains or Snow Tires Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27459.5	(a,b)	Sale/Replacement of Noncompliant Tire Chains Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27460	A	Four-Wheel-Drive Vehicles With Snow Tread Tires Allowed; Chains to Be Carried	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27460	B	Four-Wheel-Drive Vehicles With Snow Tread Tires Allowed; Chains to Be Carried	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27460.5		Knowingly Selling or Offering for Sale a Recut or Regrooved Tire for Noncommercial Use	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27461	A	Use of Recut or Regrooved Tires Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27461	B	Use of Recut or Regrooved Tires Prohibited	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27465	(a)	Inadequate Tire Tread—Sale Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27465	(b)	A Inadequate Tire Tread—Use on Highway Prohibited	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27465	(b)	B Inadequate Tire Tread—Use on Highway Prohibited	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27501	(a)	Sale or Installation of Nonconforming Pneumatic Tires	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27501	(b)	A Operating With Nonconforming Pneumatic Tires	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27501	(b)	B Operating With Nonconforming Pneumatic Tires	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27502		Sale of Tires That Fail to Comply With Noise Standards Articulated in VC 27503	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27600	A	Fenders and Mud Guards Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27600	B	Fenders and Mud Guards Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27602	(a)	A Operation of a Motor Vehicle Containing Unauthorized Video Screen or TV Monitor Within Driver's Field of Vision	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
27602	(a)	B Operation of a Motor Vehicle Containing Unauthorized Video Screen or TV Monitor Within Driver's Field of Vision	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27603		Noncompliance With Repainting Requirement for Sale of Former School Bus if Sold for Purpose Other Than Transporting Pupils	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27605	A	Owning or Operating a Vehicle Painted to Resemble Law Enforcement Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27605	B	Owning or Operating a Vehicle Painted to Resemble Law Enforcement Vehicle	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27606	(a)	A Owning or Operating a Vehicle with a Light Bar to Resemble Law Enforcement Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27606	(a)	B Owning or Operating a Vehicle with a Light Bar to Resemble Law Enforcement Vehicle	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27700	(a)	A Tow Truck in Violation of Equipment Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27700	(a)	B Tow Truck in Violation of Equipment Requirements	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27800	A	Equipment for Motorcycle Passenger Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
27800	B	Equipment for Motorcycle Passenger Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27801	(a,b)	A Required Position of Equipment on Motorcycle	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	1
27801	(a,b)	B Required Position of Equipment on Motorcycle	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
27802	(a)	Failure to Label Helmets With Certification of Federal Safety Standard Compliance	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27802	(b)	Sale of Safety Helmets That Fail to Comply With California DMV Requirements	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
27803	(a)	A Operating/Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle While Not Wearing Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>		
27803	(a)	B	Operating/Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle While Not Wearing Helmet as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27803	(b)	A	Operating/Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle While Not Wearing Helmet as Required	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27803	(b)	B	Operating/Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle While Not Wearing Helmet as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27803	(c)	A	Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle as Passenger While Driver or Passenger Not Wearing Helmet as Required	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27803	(c)	B	Riding Motorcycle, Motor-Driven Cycle, or Motorized Bicycle as Passenger While Driver or Passenger Not Wearing Helmet as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27900	(a)	A	Placards With Identifying Name Required on Both Sides of Vehicle	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27900	(a)	B	Placards With Identifying Name Required on Both Sides of Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27901	A	A	Name and Trademark Visibility Required on For-Hire Vehicle	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27901	B	B	Name and Trademark Visibility Required on For-Hire Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27903	(a)	A	Placards Indicating Type of Hazardous Cargo Required	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27903	(a)	B	Placards Indicating Type of Hazardous Cargo Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27904	A	A	Pilot Cars Required to Display Company Name on Both Sides of Vehicle	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27904	B	B	Pilot Cars Required to Display Company Name on Both Sides of Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27904.5	A	A	Failure to Display Identification Sign in Pilot Car as Required	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27904.5	B	B	Failure to Display Identification Sign in Pilot Car as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27905	A	A	Unauthorized Display of Sign Containing the Words "Fire" or "Fire Department"	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27905	B	B	Unauthorized Display of Sign Containing the Words "Fire" or "Fire Department"	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27906	(a),(c)	A	Improper or Unauthorized Display of School Bus Sign	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27906	(a),(c)	B	Improper or Unauthorized Display of School Bus Sign	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27907	A	A	Failure to Display Identification Sign in Towing Vehicle as Required	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27907	B	B	Failure to Display Identification Sign in Towing Vehicle as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27908	A	A	Failure to Display Identification Sign in Taxicab as Required	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27908	B	B	Failure to Display Identification Sign in Taxicab as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
27909	A	A	Visible Signs Required on Vehicle Transporting Liquefied Petroleum or Natural Gas	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
27909	B	B	Visible Signs Required on Vehicle Transporting Liquefied Petroleum or Natural Gas	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
28000	A	A	Failure to Install Required Emergency Exits in Refrigerator Vans	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
28000	B	B	Failure to Install Required Emergency Exits in Refrigerator Vans	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
28053	(b)	A	Failure to Adjust Odometer or Notify of Adjustment as Required	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
28053	(b)	B	Failure to Adjust Odometer or Notify of Adjustment as Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
28053	(c)	C	Odometer Notice Affixed, Removed, or Altered With Intent to Defraud	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
28060	(a)	A	Sale of Recreational Vehicle or Camper Containing Cooking Equipment Without Fire Extinguisher	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
28060	(b)	A	Operation of Recreational Vehicle or Camper Containing Cooking Equipment Without Fire Extinguisher	25	30	21	15	15	5	117	40	35	1	0	193	1a	0
28060	(b)	B	Operation of Recreational Vehicle or Camper Containing Cooking Equipment Without Fire Extinguisher	25	0	0	0	0	0	25	0	0	0	0	25	4a	0
28062	(a)	A	Modified Limousine Not Equipped With Fire Extinguishers As Required	25	30	21	15	15	5	117	40	35	1	0	193	1a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
28062	(a)	B	Modified Limousine Not Equipped With Fire Extinguishers As Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28071		A	Front and Rear Bumper Required on Passenger Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28071		B	Front and Rear Bumper Required on Passenger Vehicle	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28080	(a)	A	Audible/Visible Camper Signaling Device Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28080	(a)	B	Audible/Visible Camper Signaling Device Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28080	(b)	A	Operating Camper Without Signaling Device Prohibited	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28080	(b)	B	Operating Camper Without Signaling Device Prohibited	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28085	(c)	A	Use of Theft Alarm That Emits the Sound of a Siren	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28085	(c)	B	Use of Theft Alarm That Emits the Sound of a Siren	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28100		A	Failure to Display, or Unauthorized Display of, Red Warning Flags on Pilot Cars	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28100		B	Failure to Display, or Unauthorized Display of, Red Warning Flags on Pilot Cars	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28101		A	Noncompliance With Pilot Car Design and Equipment Requirements	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28101		B	Noncompliance With Pilot Car Design and Equipment Requirements	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28102		A	Noncompliance With Vertical Clearance Measuring Device Requirements for Pilot Cars	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28102		B	Noncompliance With Vertical Clearance Measuring Device Requirements for Pilot Cars	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28103		A	Pilot Cars Required to Have Equipment in Working Order	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28103		B	Pilot Cars Required to Have Equipment in Working Order	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28150	(a,b)	A	Equipping Vehicle With or Possession of Radar Jamming Equipment	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
28150	(a,b)	B	Equipping Vehicle With or Possession of Radar Jamming Equipment	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
28155	(a,b)	A	Driver Monitoring Defeat Devices	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
28155	(a,b)	B	Driver Monitoring Defeat Devices	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29001		A	Fifth Wheel Connecting Device Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
29001		B	Fifth Wheel Connecting Device Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29002		A	Fifth Wheel Locking Device Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
29002		B	Fifth Wheel Locking Device Required	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29003	(a-c)	A	Drawbar, Hitch, or Coupling Must Be Secure	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
29003	(a-c)	B	Drawbar, Hitch, or Coupling Must Be Secure	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29004	(a) (1-3)	A	Safety Chain Secured for Towing	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
29004	(a) (1-3)	B	Safety Chain Secured for Towing	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29004	(b)	A	Safety Connection of Insufficient Strength	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
29004	(b)	B	Safety Connection of Insufficient Strength	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29004	(c)	A	Safety Chain or Device With Excess Slack	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
29004	(c)	B	Safety Chain or Device With Excess Slack	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29004	(d)	A	Failure to Comply With Safety Chain Requirements for Semi-trailers With Fifth Wheel Kingpin Connecting Device	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
29004	(d)	B	Failure to Comply With Safety Chain Requirements for Semi-trailers With Fifth Wheel Kingpin Connecting Device	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29005		A	Drawbar Length Defined	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
29005		B	Drawbar Length Defined	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
29006	(a)	A	Coupling of Towed Vehicles Defined	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
29006	(a)	B	Coupling of Towed Vehicles Defined	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	
31301	(a)		Unlawful Transportation Through Caldecott Tunnel	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
31400	(a-c)	A	Equipment Required on Trucks Transporting Workers	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
31400	(a-c)	B	Equipment Required on Trucks Transporting Workers	25	0	0	0	0	0	25	0	0	0	0	25	4a	0	



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 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
31401	(d)	A	Rental or Use of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection Per VC 31401(b)	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
31401	(d)	B	Rental or Use of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection Per VC 31401(b)	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
31401	(e)	A	Operation of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection Certificate Per VC 31401(b)	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
31401	(e)	B	Operation of Farm Labor Vehicle by Owner or Contractor Without CHP Inspection Certificate Per VC 31401(b)	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
31405	(d)	A	Failure to Restrain All Passengers of Farm Labor Vehicles in Seatbelts	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
31405	(d)	B	Failure to Restrain All Passengers of Farm Labor Vehicles in Seatbelts	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
31406	(a)	A	Transportation of Passengers in a Farm Labor Vehicle With a Seating System That Is Noncompliant With CHP Standards	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
31406	(a)	B	Transportation of Passengers in a Farm Labor Vehicle With a Seating System That Is Noncompliant With CHP Standards	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
31406	(b)	A	Installation of Seat or Seating System in Farm Labor Vehicle That Is Noncompliant With CHP Standards	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
31406	(b)	B	Installation of Seat or Seating System in Farm Labor Vehicle That Is Noncompliant With CHP Standards	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
31407		A	Farm Labor Vehicle in Motion With Sharp Tool Unsecured or Blocking Aisle or Exit	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
31408		A	Failure to Light Both Headlamps on Farm Labor Vehicles During Operation	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
31408		B	Failure to Light Both Headlamps on Farm Labor Vehicles During Operation	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
31409		A	Failure of Public Transit System Operated for Transporting Farm Workers and/or any Farm Worker Transportation Program to Comply With Farm Labor Vehicle Regulations	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
31409		B	Failure of Public Transit System Operated for Transporting Farm Workers and/or any Farm Worker Transportation Program to Comply With Farm Labor Vehicle Regulations	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
31540	(b)	A	Regulations Governing Transportation of Tank Containers Specified	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
31540	(b)	B	Regulations Governing Transportation of Tank Containers Specified	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
31560			Unlawful Transportation of Waste Tires	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
34500.7	(a)		Failure to Comply With Rules/Regulations – Other Safety/Maintenance Items	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
34500.7	(b)		Failure to Comply With Rules/Regulations – Daily Vehicle Inspection Reports	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
34501	(c)		Multiple Safety Violations on Tour Bus	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
34501.2	(b,c)		Driving Hours and Duty Status Limitations	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	1
34501.4			Failure to Produce Complete Driver's Logbook for the Last 24-hour Period	35	40	28	20	20	7	8	158	40	35	1	0	234	2a	0
34501.8			Failure to Display CHP Certificate of Inspection on Paratransit Vehicle	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0
34505.8	(a)	A	Charter Bus Trip Safety Briefing	70	70	49	35	35	14	14	287	40	35	1	0	363	3a	0
34506.3			<sup>80</sup> Failure to Comply With Rules/Regulations–Driving Logs	150	150	105	75	75	30	30	615	40	35	1	0	691	4a	1
34506.3		A	Failure to Comply With Rules/ Regulations–Other Safety/Maintenance Items	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	1
34506.3		B	Failure to Comply With Rules/ Regulations–Other Safety/Maintenance Items	25	0	0	0	0	0	25	0	0	0	0	0	25	4a	0
34507		A	Display of Distinctive Identification Symbol Required	25	30	21	15	15	5	6	117	40	35	1	0	193	1a	0

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Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
34507	B	Display of Distinctive Identification Symbol Required	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
34507.5	(a,b,g,h) A	Failure to Display Carrier Identification Number	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
34507.5	(a,b,g,h) B	Failure to Display Carrier Identification Number	25	0	0		0	0	0	25	0	0	0	0	25	4a	0	
34510		Display of Shipping Papers on Demand Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
34517	(a)	Operation of Commercial Vehicle From Another Country Restricted	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	4a	0
34518	(a)	<sup>81</sup> Violation of Foreign Motor Carrier and Private Foreign Motor Carrier Registration and Operation Requirements and Limitations	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	4a	0
34518	(b) (1-3)	<sup>81</sup> Violation of Motor Carrier Registration and Operation Requirements	1000	1000	700		500	500	200	200	4100	40	35	1	0	4176	4a	0
35100	(a)	Outside Width of Vehicle or Load Exceeding 102 Inches	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35100.5		Operation of Cotton Module Mover in Violation of Width Standards Set by the County Board of Supervisors	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35101		Failure to Comply With CHP Width Standards of Vehicles Equipped With Pneumatic Tires	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35102		Carrying a Load of Loosely Loaded Agricultural Products on Racks More Than 120 Inches Wide	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35104	(a,b)	Special Vehicles More Than 120 Inches Wide	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35109		Motor Vehicle With Lights, Mirrors, or Other Devices Extending Beyond 10 Inches From Side of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35110		Motor Vehicle With Door Handles, Hinges, Cable Cinchers, Chain Binders, Aerodynamic Devices, and/or Placard Holders Extending Beyond 3 Inches of Side of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35111		Operating Passenger Vehicle With Load Exceeding Permissible Width Beyond Fenders	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35250		Height Limits of Vehicle/Load Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35251	(a)	Hydraulic Boom or Mast Must Be Secured in Transit	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35252	(a-c)	Failure to Use Vertical Clearance Measuring Device as Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35400	(a)	Overlength-Single Vehicle Specifications	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35400	(e)(1)	Improper or Unsafe Mounting of Bicycle on Bus	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35401	(a)	Overlength-Vehicle Combination Specifications	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35401	(b)	Overlength-Vehicle Combination Specifications	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35401.9		Overlength - Driveaway-Towaway Combination	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35406	(a,b)	Front Projections Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35407	(a-d)	Noncompliance With Boom and Mast Regulations	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35408		Installation of Front Bumper Projecting More Than 2 Feet Forward From Frontmost Part of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35409	(a)	Use of Dismountable Photo or Motion Picture Device Extending Over 5 Feet in Front of the Cab Structure of Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35409	(b)	Use of Unauthorized Dismountable Platform for Purpose of Making Instructional Safe Driving Motion Pictures	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35410		Rear Projections Defined	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
35411		Noncompliance With Maximum Length and Load Standards	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35550	(a-c)	<sup>82</sup> Maximum Weight on Single Axle or Wheels															4a	0
35551	(a,b)	<sup>82</sup> Computation of Allowable Gross Weight (Overweight)															4a	0
35551.5		<sup>82</sup> Violation of Gross Weight Computation Method Prescribed for Combinations Containing Trailer/Semitrailer by Less Than 4,500 Pounds															4a	0
35552		<sup>82</sup> Failure to Comply With Log Transportation Standards of the Christensen-Belotti Act	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35554	(a)(1)	Weight in Excess of 20,500 Pounds on a Bus Axle															4a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
35554	(c)	Operation of Transit Bus in Excess of Specified Weight Limit				[See Overweight Chart]										4a	0	
35554	(1,2)																	
35554	(d)	Operation of Articulated or Zero-emission Transit Bus in Excess of Specified Weight Limit				[See Overweight Chart]										4a	0	
35554	(1-4)																	
35554	(f)	Failure to Provide Required Information for Operation of Articulated Transit Bus	250	250	175		125	125	50	50	1025	40	35	1	0	1101	2a	0
35554	(h)	Operation of Transit Bus in Excess of Federal Weight Limit				[See Overweight Chart]										4a	0	
35554	(i)	Weight in Excess of 20,000 Pounds on One Axle Without Four Wheels				[See Overweight Chart]										4a	0	
35600		<sup>82</sup> Noncompliance With Solid Tire Gross Weight Limitation Standards by Less Than 4,501 Pounds				[See Overweight Chart]										4a	0	
35601		<sup>82</sup> Noncompliance With Metal Tire Gross Weight Limitation Standards by Less Than 4,501 Pounds				[See Overweight Chart]										4a	0	
35655	(a)	<sup>82</sup> Operation of Vehicle on Highway Containing Load Exceeding Maximum Weight Highway Is Designed to Sustain by Less Than 4,501 Pounds				[See Overweight Chart]										4a	0	
35712		<sup>82</sup> Violation of County Ordinance Prohibiting Commercial Vehicles Exceeding Certain Weight Limitations by Less Than 4,501 Pounds in Residential Area				[See Overweight Chart]										4a	0	
35753	(a)	<sup>82</sup> Operation of Vehicle Over Bridge, Causeway, Viaduct, Trestle, or Dam in Vehicle Containing Load Exceeding the Maximum Weight the Structures Will Safely Sustain by Less Than 4,501 Pounds				[See Overweight Chart]										4a	0	
35783		Failure to Present Valid Permit Upon Request	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
35783.5		Warning Signs Must Be Removed or Covered When Operating Without a Load	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
36300		Operating a Farm Tractor Drawing Trailer of Produce Without Valid Driver's License	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36400		Operating Vehicle Designed Exclusively for Moving Implements of Husbandry at a Speed of More Than 35 MPH	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
36508		Moving New Implement of Husbandry at Speed Over 25 MPH Without "Slow Moving Vehicle Emblem" Displayed as Required	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36510		Operating Implements of Husbandry Vehicles at Speed Beyond That Safely Required to Stop Within 32 Feet	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36600		Transporting Implements of Husbandry That Exceed the Width Limitation of 120 Inches More Than 25 Miles From Their Point of Origin	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36605		Noncompliance With Width Limitations Imposed on Trailers and Semi-trailers Not Used in the Exclusive Transportation of Implements of Husbandry	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36606	(a)	Noncompliance With the Automatic Bale Wagon Width Limitation of 120 Inches	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
36705		Operation of Automatic Bale Wagon Exceeding 96 Inches in Width, or Carrying a Load in Excess of 100 Inches During Darkness	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
38010	(a)	A Failure to Display Identification Plate or Device	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38010	(a)	B Failure to Display Identification Plate or Device	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0
38020		Registration Required for Off-Highway Vehicle/Riding in Violation of Season Prohibited	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
38026.5	(b)(1)	Operation of Off-Highway Vehicle on Highway	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38026.5	(b)(2-5)	A Operation of Off-Highway Vehicle on Highway	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38026.5	(b)(2-5)	B Operation of Off-Highway Vehicle on Highway	25	0	0		0	0	0	0	25	0	0	0	0	25	4a	0

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				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
38205	A	Failure to Transfer Ownership As Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38205	B	Failure to Transfer Ownership As Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38300		Unlawful to Disobey Specified Sign, Signal, or Traffic Control Device	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38301		<sup>83</sup> Unlawful to Violate Off-Highway Vehicle Operation Regulations	50	50	35		25	25	10	10	205	40	35	1	0	281	4a	0
38301.3		<sup>84</sup> Unlawful Entry of Motor Vehicle Into Federal or State Wilderness Area	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	0
38301.5		Violation of Local Ordinance Prohibiting Entry Into Mountain Fire District	150	150	105		75	75	30	30	615	40	35	1	0	691	4a	0
38304.1		Knowingly Allowing Child to Operate Off-Highway Vehicle in Violation of Vehicle Code Section 38304	35	40	28		20	20	7	8	158	40	35	1	0	234	4a	0
38305		Driving Off-Highway Vehicle at Unsafe Speed	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38330	A	Unlawful to Operate Vehicle That Is Unsafe, Not Equipped as Required for an Off-Highway Vehicle, or Not Safely Loaded	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38330	B	Unlawful to Operate Vehicle That Is Unsafe, Not Equipped as Required for an Off-Highway Vehicle, or Not Safely Loaded	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38366	(a)	Vehicle with Spark Arrester not in Effective Working Order	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38366	(b)	Vehicle with Spark Arrester not in Effective Working Order	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38366	(b)	Vehicle with Spark Arrester not in Effective Working Order	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38375	(a)	Off-Highway Motor Vehicle Equipped With Siren	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38375	(a)	Off-Highway Motor Vehicle Equipped With Siren	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38375	(b)	Use of Siren While Driving an Off-Highway Motor Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38390	A	Operating or Maintaining in a Condition of Readiness an Off-Highway Vehicle Without Proper Emission Control Equipment	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38390	B	Operating or Maintaining in a Condition of Readiness an Off-Highway Vehicle Without Proper Emission Control Equipment	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38503	A	Conditions of Minor Operating All-Terrain Vehicle	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38503	B	Conditions of Minor Operating All-Terrain Vehicle	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38504.1	(a)	<sup>85</sup> Allowing Child Under 14 Years of Age to Operate an All-Terrain Vehicle Without Safety Training/Supervision/Safety Certificate Required Under VC 38504	125	130	91		65	65	25	26	527	40	35	1	0	603	4a	0
38505	A	Operating or Riding All-Terrain Vehicle While Not Wearing Safety Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38505	B	Operating or Riding All-Terrain Vehicle While Not Wearing Safety Helmet as Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38506		Carrying Passenger on All-Terrain Vehicle on Public Lands	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	1
38600		<sup>86</sup> Operating a Recreational Off-Highway Vehicle by Person Under 16 Years of Age That Is Unsupervised by an Authorized Adult, on Public Lands	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38601	A	Operating or Riding in Recreational Off-Highway Vehicle on Public Land by Person While Not Wearing Safety Helmet as Required	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38601	B	Operating or Riding in Recreational Off-Highway Vehicle on Public Land by Person While Not Wearing Safety Helmet as Required	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0
38602	A	<sup>86</sup> Operating or Riding in Recreational Off-Highway Vehicle by Person While Not Wearing Safety Belt or Harness as Required, on Public Lands	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
38602	B	<sup>86</sup> Operating or Riding in Recreational Off-Highway Vehicle by Person While Not Wearing Safety Belt or Harness as Required, on Public Lands	25	0	0		0	0	0	25	0	0	0	0	0	25	4a	0

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court Ops	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points	
				<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>									
38603	(a)	<sup>86</sup> Operating a Recreational Off-Highway Vehicle With a Model Year of 2014 or Later While Allowing a Passenger to Ride in Seat Location Not Provided by Manufacturer, on Public Lands	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38603	(b)	<sup>86</sup> Operating a Recreational Off-Highway Vehicle With a Model Year of 2013 or Earlier While Allowing a Passenger to Ride in Seat Location That Is Not Contained Inside of the Rollover Protection Structure, on Public Lands	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38604	(a)	<sup>86</sup> Operating a Recreational Off-Highway Vehicle While Allowing a Passenger to Ride Who Cannot Grasp Handhold When Belted or Harnessed as Required, on Public Lands	35	40	28		20	20	7	8	158	40	35	1	0	234	2a	0
38604	(c)	Recreational Off-Highway Vehicle With Handhold That Interferes With Passenger Exit From the Vehicle	25	30	21		15	15	5	6	117	40	35	1	0	193	2a	0
39002	(b)	<sup>87</sup> Illegal to Tamper With/Destroy Bicycle Identification	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
40001	(a,b)	Owner's Responsibility [Bail should be in accordance with the bail on the underlying offense.]		0	0		0	0	0	0	0	0	0	0	0	0		
40151	(a)	Failure to Bring Lighting Equipment Into Compliance or Comply With Removal Order Within 24 Hours of Inspection	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
40151	(b)	Failure to Bring Lighting Equipment Into Compliance or Comply With Removal Order Within 48 Hours of Inspection	25	30	21		15	15	5	6	117	40	35	1	0	193	1a	0
40508	(a,b)	Violation of Promise to Appear, Promise to Pay	25	30	21		15	15	5	6	117	40	35	1	0	193	4a	0

**Notes**

<sup>A</sup> Violation cited on a notice to appear as not eligible for correction. (VC 40303.5, VC 40522, and VC 40610.) A citing officer may issue a noncorrectable notice to appear for an equipment, driver's license, or registration offense that is potentially eligible for correction if the officer determines that the violation presents an immediate safety hazard, there is evidence of fraud or persistent neglect, or the violator does not agree to, or cannot, promptly correct the violation. (See California Highway Patrol v. Superior Court (2008) 158 Cal.App.4th 726 [riding a motorcycle without wearing any helmet presents an "immediate safety hazard" when an officer makes that determination and issues a noncorrectable citation].) If a citation does not indicate that an offense is eligible for correction under VC 40522, a court may presume that the offense is cited as noncorrectable. (See also id. at p. 740 [a court may infer from the type of citation issued that the officer did or did not find disqualifying circumstances].)

<sup>B</sup> Violation cited on a notice to appear as eligible for correction. (VC 40303.5, VC 40522, and VC 40610.) A potentially eligible equipment, driver's license, or registration offense may be cited as correctable on a notice to appear unless the citing officer determines that the violation presents an immediate safety hazard, there is evidence of fraud or persistent neglect, or the violator does not agree to, or cannot, promptly correct the violation. (See California Highway Patrol v. Superior Court (2008) 158 Cal.App.4th 726 [riding a motorcycle without wearing any helmet presents an "immediate safety hazard" when an officer makes that determination and issues a noncorrectable citation].)

<sup>1</sup> Per VC 28(c): "Any person failing to notify the city police department, sheriff's department, or campus police department as required by this section is guilty of an infraction, and shall be fined a minimum of \$300, and up to \$500."

<sup>2</sup> Minimum fine set by VC 42001.1.

<sup>3</sup> Minimum fine set by VC 42001.8. (See VC 40152 regarding proof for adjudication.)

<sup>4</sup> Per VC 4461.3, a city or county may adopt an ordinance or resolution to assess an additional penalty of \$100.

<sup>5</sup> Per VC 4463(e): Fine "... not less than \$100 and not more than \$250 for a first offense ..."

<sup>6</sup> Per VC 5201.1(d): "punishable by a fine of \$250 per item sold or per violation."

<sup>7</sup> Per VC 10852.5(c): "A violation of this section is punishable as an infraction by a fine, as follows:

(1) For a first offense, by a fine of one thousand dollars (\$1,000).

(2) For a second offense, by a fine of two thousand dollars (\$2,000).

(3) For a third or subsequent offense, by a fine of four thousand dollars (\$4,000)."

See related misdemeanor Business and Professions section 21610.

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State	County	DNA PA*	Court PA*/10	Surcharge*	EMS	Fine	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
				PA*	PA*/10				PA*/10	Subtotal							
				10/10	7		5/10	5	20%	2	40	35	1	0			
				<p><sup>8</sup> Per VC 11500(a)(3) "A person who violates subdivision (a) due to possessing nine or more catalytic converters that have been cut from a vehicle pursuant to Section 220 is, for a first violation, guilty of an infraction punishable by a fine of not more than one hundred dollars (\$100). A person convicted of a second separate violation of subdivision (a) for this reason is guilty of a misdemeanor punishable by a fine of not less than two hundred fifty dollars (\$250). A person convicted of a third separate violation of subdivision (a) for this reason is guilty of a misdemeanor punishable by a fine of not less than five hundred dollars (\$500). A person convicted of a fourth or subsequent violation of subdivision (a) for this reason is guilty of a misdemeanor and shall be punished by a fine of not less than one thousand dollars (\$1,000)."</p> <p><sup>9</sup> Per VC 40000.10: "A violation of subdivision (a) of Section 12500 shall be punished as follows:            (a) Except as provided in subdivision (b), as an infraction by a fine of one hundred dollars (\$100) for a first or second violation.            (b) As a misdemeanor or an infraction as prescribed by Section 19.8 of the Penal Code if a person has a prior driver's license suspension or revocation for a violation of subdivision (c) of Section 192 of the Penal Code, subdivision (e) of Section 12809, or of Section 13353, 13353.1, 13353.2, 23103, 23104, 23105, 23109, 23152, 23153, or 23154.            (c) As a misdemeanor or an infraction as prescribed by Section 19.8 of the Penal Code for a third or subsequent violation."</p> <p><sup>10</sup> Per PC 19.8: VC 12500 charged as an infraction is subject to fine "... not to exceed \$250 ... ."</p> <p><sup>11</sup> Per VC 12814.6(e)(1): "the court shall impose one of the following: (A) Not less than 8 hours nor more than 16 hours of community service for a first offense ... (B) A fine of not more than \$35 for first offense ... ."</p> <p><sup>12</sup> Per VC 14601.1(e), VC 14601.1 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Per PC 19.8: VC 14601.1(a) charged as an infraction is subject to fine "...not to exceed \$250 ... ."</p> <p><sup>13</sup> Per VC 14606(d): "operative on January 30, 2014."</p> <p><sup>14</sup> Per VC 14611: "a fine of not less than \$5,000 nor more than \$10,000."</p> <p><sup>15</sup> Per VC 15309.5(b): "A first conviction under this section is punishable as either an infraction or a misdemeanor ... . A second or subsequent conviction is punishable as a misdemeanor ... ."</p> <p><sup>16</sup> VC 15620(b) permits the court to reduce or waive the fine if the defendant establishes to the satisfaction of the court that he or she is economically disadvantaged and the court, instead, refers the defendant to a community education program that includes education on the dangers of leaving young children unattended in motor vehicles, and provides certification of completion. Upon completion of that program, the defendant shall provide that certification to the court.</p> <p><sup>17</sup> Per VC 16025(b): "... fine not to exceed \$250 ... ."</p> <p><sup>18</sup> Per VC 16029(a): "...fine of not less than \$100 and not more than \$200 for first conviction. Per VC 16029(e): "(1) Except as provided in this subdivision, the court shall impose a fine that is greater than the minimum fine specified in subdivision (a) or (b), and may not reduce that fine to the minimum fine authorized under those provisions, unless the defendant has presented the court with evidence of financial responsibility, as defined in Section 16020, for the vehicle. In no event may the court impose a fine that is less than the minimum specified in subdivision (a) or (b), or impose a fine that exceeds the maximum fine authorized under those subdivisions. ... (2) Notwithstanding any other provisions of law, the imposition of the fine required under subdivision (a) or (b) is mandatory upon conviction of a violation of subdivision (a) of Section 16028 and may not be waived, suspended, reduced below the minimum fines, unless the court in its discretion reduces or waives the fine based on the defendant's ability to pay."</p> <p><sup>19</sup> Per VC 21070: "punishable as an infraction ... ." Per VC 42001.19: "a person convicted of a violation of Section 21070 is punishable as follows: (a) For a violation involving bodily injury, by a fine of \$70."</p> <p><sup>20</sup> Per VC 21070: "punishable as an infraction ... ." Per VC 42001.19: "a person convicted of a violation of Section 21070 is punishable as follows: ... (b) For a violation involving great bodily injury, as defined in Section 12022.7 of the Penal Code, by a fine of \$95."</p> <p><sup>21</sup> Per VC 210207.5 (c): "The Department of Parks and Recreation may prohibit the operation of an electric bicycle or any class of electric bicycle on any bicycle path or trail within the department's jurisdiction."</p> <p><sup>22</sup> This code section also pertains to offenses that may be cited as a parking violation.</p> <p><sup>23</sup> Under VC 21212(d), a first charge under VC 21212(a) shall be dismissed when the person charged alleges in court, under oath, that the charge against the person is the first charge against that person under VC 21212(a), unless it is established in court that the charge is not the first charge against that person.</p> <p><sup>24</sup> Senate Bill 543; Stats: 2020, ch. 280</p> <p><sup>25</sup> Per VC 407.5(a), "A "motorized scooter" is any two-wheeled device that has handlebars, has either a floorboard that is designed to be stood upon when riding or a seat and footrests in place of the floorboard, and is powered by an electric motor. This device may also be designed to be powered by human propulsion. For purposes of this section, a motorcycle, as defined in Section 400, a motor-driven cycle, as defined in Section 405, or a motorized bicycle or moped, as defined in Section 406, is not a motorized scooter."</p> <p><sup>26</sup> Per VC § 21296(c): a conviction for a violation of this section shall be punished by a fine of not more than \$250."</p> <p><sup>27</sup> Per 21300"(e) A charge under this section shall be dismissed when the person charged alleges in court, under oath, that the charge against the person is the first charge against that person under this section, unless it is otherwise established in court that the charge is not the first charge against the person.            (f) (1) Except as provided in subdivision (e), a violation of this section is an infraction punishable by a fine of not more than twenty-five dollars (\$25).            (2) The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this section shall be jointly and severally liable with the minor for the amount of the fine imposed pursuant to this subdivision."</p> <p><sup>28</sup> Per VC 42001.15: "... fine of one hundred dollars."</p> <p><sup>29</sup> VC 42001.15 sets fine of \$100 for violations of 21453(a),(c).</p> <p><sup>30</sup> Per VC 21464: "(e) Any willful violation of subdivision (a), (b), or (c) that does not result in injury to, or the death of, a person is punishable by a fine of not more than \$5,000. ... (f) The court shall allow the offender to perform community service designated by the court in lieu of all or part of any fine imposed under this section."</p> <p><sup>31</sup> Per Department of Motor Vehicles Court Information Memo 17-01, violations of this offense in a commercial vehicle carry 1.5 DMV points</p> <p><sup>32</sup> Per VC 42001.11: "fine of not less than \$100 nor more than \$150."</p>													

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			<b>10/10</b>		<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			
33		Per VC 21712 (e): "fine of \$100" for a violation of VC 21712(c) or (d).															
34		Per VC 42001.16: "fine of \$100 ..."															
35		Per VC 42001.12: "fine of not less than \$100 ..."															
36		Per VC 21809(b): "fine of not more than \$50."															
37		Per VC 42001.17: "fine of \$100."															
38		For additional definitions of pedestrian responsibility, see VC 21456.															
39		Violation expanded to include activity on expressway. Per VC 1803(b)(6), a violation by a pedestrian or by a person on a bicycle or motorized scooter is not reportable to DMV.															
40		Violation of VC 21451(a,b), VC 21453(b), VC 21950(a), or VC 21952 and causing bodily injury. VC 21971 serves as a citing section when cited in tandem with the primary offense to charge the additional element of causing bodily injury. Per VC 42001.18: "every person convicted of an infraction for a violation of Section 21971 shall be punished as follows: (a) For the first infraction, by a fine of \$220."															
41		Per VC 22348(b)(1), a first violation is punishable by a fine "not to exceed \$500."															
42		For definitions of prima facie speed, see VC 22352.															
43		Per VC 42000.5: "... fine not exceeding \$100 for a first conviction, except that if the person has exceeded the specified speed limit by 10 miles per hour or more, the fine shall not exceed \$200."															
44		VC 42000.5 specifies fine amounts for designated vehicles.															
45		Per Vehicle Code section 22406.1, a violation of subdivision (b) "is a 'serious traffic violation,' as defined in subdivision (p) of Section 15210, and is subject to the sanctions provided under Section 15306 or 15308, in addition to any other penalty provided by law."															
46		Per VC 22406.5: "fine not less than \$500 ..."															
47		Per VC 42001.16(a)(1), for a first infraction: "fine of \$100 ..."															
48		Per VC 22454.5: "... fine of not less than \$150 ..."															
49		Per VC 42001.5: "(a) ... fine of not less than \$250. (b) No part of any fine imposed under this section may be suspended, except that the court may suspend that portion of the fine above \$100." GC 70372(b) imposes an additional state court construction penalty of \$4.50. Per GC 76000: "(b) In each authorized county, provided that the board of supervisors has adopted a resolution stating that the implementation of this subdivision is necessary to the county for the purposes authorized, with respect to each authorized fund established pursuant to Section 76100 or 76101, for every parking offense where a parking penalty, fine, or forfeiture is imposed, an added penalty of \$2.50 shall be included in the total penalty, fine, or forfeiture. Except as provided in subdivision (c), for each parking case collected in the courts of the county, the county treasurer shall place in each authorized fund \$2.50. (c) The county treasurer shall deposit \$1 of every \$2.50 collected pursuant to subdivision (b) into the general fund of the county. (d) The authority to impose the \$2.50 penalty authorized by subdivision (b) shall be reduced to \$1 as of the date of transfer of responsibility for facilities from the county to the Judicial Council pursuant to Article 3 (commencing with Section 70321) of Chapter 5.1, except as money is needed to pay for construction provided for in Section 76100 and undertaken prior to the transfer of responsibility for facilities from the county to the Judicial Council."															
50		Per VC 42001.6: "Every person convicted of an infraction for a violation of Section 22511.1 is punishable by a fine of \$100. No part of any fine imposed shall be suspended, except the court may suspend that portion of the fine above \$25 for a violation of Section 22511.1 if the person convicted possessed at the time of the offense, but failed to display, a valid zero-emission vehicle decal identification issued pursuant to subdivision (a) of Section 5205.5. The fine may be paid in installments if the court determines that the defendant is unable to pay the entire amount in one payment." GC 70372(b) imposes an additional state court construction penalty of \$4.50 penalty. GC 76000.3 imposes a \$3 penalty on every fine imposed for a parking infraction violation. Per GC 76000: "(b) In each authorized county, provided that the board of supervisors has adopted a resolution stating that the implementation of this subdivision is necessary to the county for the purposes authorized, with respect to each authorized fund established pursuant to Section 76100 or 76101, for every parking offense where a parking penalty, fine, or forfeiture is imposed, an added penalty of \$2.50 shall be included in the total penalty, fine, or forfeiture. Except as provided in subdivision (c), for each parking case collected in the courts of the county, the county treasurer shall place in each authorized fund \$2.50. (c) The county treasurer shall deposit \$1 of every \$2.50 collected pursuant to subdivision (b) into the general fund of the county. (d) The authority to impose the \$2.50 penalty authorized by subdivision (b) shall be reduced to \$1 as of the date of transfer of responsibility for facilities from the county to the Judicial Council pursuant to Article 3 (commencing with Section 70321) of Chapter 5.1, except as money is needed to pay for construction provided for in Section 76100 and undertaken prior to the transfer of responsibility for facilities from the county to the Judicial Council."															
51		Per VC 22523(c): "... fine not less than \$100 ..."															
52		Per VC 42001.1: "For a first conviction, a fine of not less than \$50 nor more than \$100." These code sections also pertain to offenses that may be cited as a parking violation.															
53		Per PC 19.8: VC 23109(c) charged as an infraction is subject to fine "... not to exceed \$250 ..."															
54		Per VC 42001.7: "... fine not less than \$100 ... "The court shall in addition to the fines imposed ... order the offender to pick up litter or clean up graffiti at time and place within the jurisdiction of the court ... " pursuant to VC 42001.7(b).															
55		Per VC 42001.4: "...fine of not less than \$50 nor more than \$100."															
56		Per VC 23123.5(d): "fine of \$20 for a first offense and \$50 for each subsequent offense." Assem. Bill 487; Stats. 2020, ch. 603. Per Vehicle Code section 12810.3, "Notwithstanding subdivision (f) of Section 12810, a violation point shall be given only for a conviction of a violation of subdivision (a) of Section 23123, subdivision (a) of Section 23123.5, or subdivision (b) of Section 23124, occurring on or after July 1, 2021, that occurs within 36 months of a prior conviction for the same offense."															
57		Per Vehicle Code section 12810.3, "Notwithstanding subdivision (f) of Section 12810, a violation point shall be given only for a conviction of a violation of subdivision (a) of Section 23123, subdivision (a) of Section 23123.5, or subdivision (b) of Section 23124, occurring on or after July 1, 2021, that occurs within 36 months of a prior conviction for the same offense."															
58		Per VC 23124(c): "fine of \$20 for a first offense and \$50 for each subsequent offense." Assem. Bill 487; Stats. 2020, ch. 603. Per Vehicle Code section 12810.3, "Notwithstanding subdivision (f) of Section 12810, a violation point shall be given only for a conviction of a violation of subdivision (a) of Section 23123, subdivision (a) of Section 23123.5, or subdivision (b) of Section 23124, occurring on or after July 1, 2021, that occurs within 36 months of a prior conviction for the same offense."															

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
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 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court Ops	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			10/10		7		5/10	5	20%	2	40	35	1	0			
59	Set per VC 42001.9.																
60	Per VC 42001.25: "fine of \$100 ... ." For defendants at least 18 years of age who are convicted of a first violation of VC 23140, VC 23502(a) requires a court order to attend a licensed driving-under-the-influence program.																
61	Per VC 23222(b): " ... fine of not more than \$100."																
62	Per VC 40000.20: a third or subsequent violation relating to "a driver of any vehicle used to provide transportation services on a prearranged services, operating under a valid certificate or permit pursuant to the Passenger Charter-party Carriers' Act (Chapter 8 (commencing with Section 5351) of Division 2 of the public Utilities Code), is a misdemeanor.																
63	Pursuant to Vehicle Code section 40258, as of July 1, 2024, "(a) (1) The schedule of toll evasion penalties for a toll evasion violation on a toll bridge shall not exceed twenty-five dollars (\$25) for the notice of toll evasion violation, and shall not exceed fifty dollars (\$50) for the notice of delinquent toll evasion violation for a cumulative total of fifty dollars (\$50) for each individual toll evasion violation. (2) Notwithstanding paragraph (1), the schedule of toll evasion penalties may include any administrative fee, fine, or assessment imposed by the state after enactment of this chapter in addition to the cumulative fifty-dollar (\$50) limit per each individual toll evasion violation. (b) If the registered owner, by appearance or by mail, makes payment to the processing agency within 15 days of the mailing of the notice of toll evasion violation issued pursuant to subdivision (a) of Section 40254 for a bridge toll evasion, the amount owed shall consist of the amount of the toll without any additional penalties, administrative fees, or charges. (c) The maximum penalty for each toll evasion violation included in a notice of toll evasion for either a toll highway, toll road, or express lane shall be sixty dollars (\$60). The maximum cumulative toll evasion penalty shall not exceed one hundred dollars (\$100) for each individual toll evasion violation. (d) Toll evasion penalties under this article shall be collected as civil penalties. (e) The amounts specified in this section may be adjusted periodically by an issuing agency at a rate not to exceed any increase in the California Consumer Price Index as compiled and reported by the Department of Industrial Relations. (f) An issuing agency shall waive the toll evasion penalty for a first violation with the issuing agency if the person contacts, as applicable, the issuing or processing agency customer service center within 21 days from the mailing of the notice of toll evasion violation, and the person is not currently an accountholder with the issuing agency, signs up for an account, and pays the outstanding toll."																
64	When a violation of speeding is alleged, refer to the Speed Chart.																
65	Per VC 42001.20(a): "... fine of \$150." Per VC 42001.20(b): "a second offense within one year is punishable by "a fine not exceeding \$200." Per VC 42001.20: a violation occurring within one year of two or more prior violations is punishable by "a fine not exceeding \$250."																
66	VC 27150.2 requires that a station providing referee functions under H&S 44036 only issue a certificate of compliance for vehicular exhaust systems for vehicles that have received a citation for violation of VC 27150 or VC 27151.																
67	Per PC 19.8: VC 27150.1 charged as an infraction is subject to fine "... not to exceed \$250 ... ."																
68	Per VC 42001(c): " ... fine of \$250 ... ."																
69	Per VC 42001(c): " ... fine of \$1,000 ... ."																
70	VC 27150.2 requires that a station providing referee functions under H&S 44036 issue a certificate of compliance for vehicular exhaust systems only for vehicles that have received a citation for violation of VC 27150 or VC 27151.																
71	Per VC 42001.2: "... fine not less than \$250 ... ."																
72	Per VC 42001.14: "... fine not less than \$50 or more than \$100." Per VC 27156(d): "If the court finds that a person has willfully violated this section, the court shall impose the maximum fine ... ." Per PC 7: "willfully" implies "... simply a purpose or willingness to commit the act, or make the omission referred to." Under VC 27156 (g) a notice to appear or complaint issued for violation of VC 27156 must require proof of correction pursuant to VC 40150 or proof of exemption pursuant to 40001.1 or 4000.2.																
73	Per VC 27315(h): "... fine of not more than \$20 for a first offense and \$50 for each subsequent offense. In lieu of the fine and any penalty assessment or court costs, the court, pursuant to Section 42005, may order that a person convicted of a first offense attend a school for traffic violators or another court-approved program in which the proper use of safety belts is demonstrated."																
74	Per VC 27318 (i) the offense is "punishable by a fine of not more than twenty dollars (\$20) for a first offense, and a fine of not more than fifty dollars (\$50) for each subsequent offense"																
75	Per VC 27319 (c) the offense is "punishable by a fine of not more than twenty dollars (\$20) for a first offense, and a fine of not more than fifty dollars (\$50) for each subsequent offense"																
76	Per VC 27360.6(a): "(1) ... a first offense is punishable by a fine of \$100, except that the court may reduce or waive the fine if the defendant establishes to the satisfaction of the court that he or she is economically disadvantaged, and the court, instead, refers the defendant to a community education program that includes, but is not limited to, education on the proper installation and use of a child passenger restraint system for children of all ages, and provides certification to the court of completion of that program. Upon completion of the program, the defendant shall provide proof of participation in the program. If an education program on the proper installation and use of a child passenger restraint system is not available within 50 miles of the residence of the defendant, the requirement to participate in that program shall be waived. If the fine is paid, waived, or reduced, the court shall report the conviction to the department pursuant to Section 1803. (2) The court may require a defendant described under paragraph (1) to attend an education program that includes demonstration of proper installation and use of a child passenger restraint system and provides certification to the court that the defendant has presented for inspection a child passenger restraint system that meets applicable federal safety standards."																
77	Vehicle Code section 27360.6(a)(1) states, "For a conviction under Section 27360 or 27360.5, a first offense is punishable by a fine of one hundred dollars (\$100), except that the court may reduce or waive the fine if the defendant establishes to the satisfaction of the court that he or she is economically disadvantaged..."																
78	Set per VC 27365(c).																
79	Per VC 27375(a)(1)(d): For modified limousines modified prior to July 1, 2015, the requirements of VC 27375(a) apply on and after January 1, 2017. Per VC 27375(d): "(1) Except as provided in paragraph (2), subdivision (a) shall not apply to any limousine manufactured before 1970 that has an active charter-party carrier (TCP) number that was issued by the commission as of August 15, 2013. (2) Subdivision (a) shall not apply to any limousine manufactured before 1970 if it was modified after August 15, 2013."																



**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
			<b>10/10</b>		<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>			

<sup>80</sup> Per VC 42001.3.

<sup>81</sup> Per VC 34518(c): "fine of \$1,000."

<sup>82</sup> Per VC 40000.23: "Violation ... a misdemeanor and not an infraction ... except where the amount of excess weight is less than 4,501 pounds."

<sup>83</sup> Per VC 42001.10: "... fine not less than \$50 ..."

<sup>84</sup> Per VC 38301.3(a): A first offense is "punishable by a fine not exceeding \$150."

<sup>85</sup> Per VC 38504.1(b)(1): for a first conviction "... the court shall either impose a fine of \$125 or order the person to take or retake and complete an all-terrain safety training course pursuant to VC 38501."

<sup>86</sup> Senate Bill 785; Stats. 2020. Ch. 469.

<sup>87</sup> For a violation of any ordinance or resolution adopted pursuant to VC 39002(a), per VC 39011 the fine shall not exceed \$10.

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Vehicle Code)

**OVERWEIGHT CHART (Per VC 42030) <sup>1</sup>**

Pounds of Excess Weight	Base Fine	State PA*	County PA*/10	DNA PA*	Court Const. PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **	
		<b>10/10</b>	<b>7 5/10</b>		<b>5 P</b>		<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>		
0–1,000		20	20	14	10	10	4	4	82	40	35	1	0	158
1,001–1,500		30	30	21	15	15	6	6	123	40	35	1	0	199
1,501–2,000		40	40	28	20	20	8	8	164	40	35	1	0	240
2,001–2,500		55	60	42	30	30	11	12	240	40	35	1	0	316
2,501–3,000		85	90	63	45	45	17	18	363	40	35	1	0	439
3,001–3,500		105	110	77	55	55	21	22	445	40	35	1	0	521
3,501–4,000		125	130	91	65	65	25	26	527	40	35	1	0	603
4,001–4,500		145	150	105	75	75	29	30	609	40	35	1	0	685

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Vehicle Code)

4,501–5,000	175	180	126	90	90	35	36	732	40	35	1	0	808
5,001–6,000	\$0.04 each pound over limit												
6,001–7,000	\$0.06 each pound over limit												
7,001–8,000	\$0.08 each pound over limit												
8,001–10,000	\$0.15 each pound over limit												
10,001 and over	\$0.20 each pound over limit												

**Calculate Base Bail from the amount specified for over 5,001 pounds for each pound of excess weight and then calculate the Added Penalties and Surcharge to determine the Total Bail.**

<sup>1</sup> Per VC 35559(a) (1) “Notwithstanding any provision of this article, the power unit of a near-zero emission or zero-emission vehicle may exceed the allowable gross weight limits by up to a maximum of 2,000 pounds...” Assem. Bill 1953 (Stats. 2024, ch.219) Per VC 42030(d): Court may exercise discretion with respect to the imposition of the fine under this section if any applicable local permit was obtained prior to the court hearing and, at the time of issuance of the notice to appear, the motor carrier was transporting construction equipment or materials and a valid extra-legal load permit from the Department of Transportation was in effect. Per VC 40000.23: "Violation ... a misdemeanor and not an infraction ... except in case of weight violations where the amount of excess weight is less than 4,501 pounds."

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

*WEIGHT CHART (Per VC 42030.1) <sup>1</sup>*

Pounds in Excess of Declared Gross Vehicle Weight	Base Fine	State PA*	County PA*/10	DNA PA*	Court Facility Const. PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **
1,001–1,500	250	250	175	125	125	50	50	1025	40	35	1	0	1101
1,501–2,000	300	300	210	150	150	60	60	1230	40	35	1	0	1306
2,001–2,500	350	350	245	175	175	70	70	1435	40	35	1	0	1511
2,501–3,000	400	400	280	200	200	80	80	1640	40	35	1	0	1716
3,001–3,500	450	450	315	225	225	90	90	1845	40	35	1	0	1921
3,501–4,000	500	500	350	250	250	100	100	2050	40	35	1	0	2126
4,001–4,500	550	550	385	275	275	110	110	2255	40	35	1	0	2331
4,501–5,000	600	600	420	300	300	120	120	2460	40	35	1	0	2536
5,001–6,000	700	700	490	350	350	140	140	2870	40	35	1	0	2946
6,001–7,000	800	800	560	400	400	160	160	3280	40	35	1	0	3356
7,001–8,000	900	900	630	450	450	180	180	3690	40	35	1	0	3766
8,001–10,000	1000	1000	700	500	500	200	200	4100	40	35	1	0	4176
10,001 and over	2000	2000	1400	1000	1000	400	400	8200	40	35	1	0	8276

<sup>1</sup> VC 42030.1 establishes fines for violations of declared gross or combined gross vehicle weight limits, including VC 4000.6(d).

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Vehicle Code)

**SPEED CHART**

**(FOR ALL SPEED LIMITS)**

<b>MPH Over Limit</b>	<b>Base Fee</b>	<b>State PA*</b>	<b>County PA*/10</b>	<b>DNA PA*</b>	<b>Court Facility Const. PA*/10</b>	<b>Surcharge* Surcharge*</b>	<b>EMS PA*/10</b>	<b>Fine Surcharge &amp; PA Subtotal</b>	<b>Court OPS</b>	<b>Conv. Assess</b>	<b>Night Court</b>	<b>TAP Fee</b>	<b>Total Bail **</b>
		<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>	
1-15	35	40	28	20	20	7	8	158	40	35	1	0	234
16-25	70	70	49	35	35	14	14	287	40	35	1	0	363
26 and over	100	100	70	50	50	20	20	410	40	35	1	0	486

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **		
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>30</b>	<b>1</b>		
20		Unlawful to Make False Statements	100	100		70	50	50	20	20	410	40	30	1	481
31		Unlawful to Give False Information to Officer	100	100		70	50	50	20	20	410	40	30	1	481
1808.1	(b)	<sup>1</sup> Employer's Failure to Participate in DMV Pull-Notice System	300	300		210	150	150	60	60	1230	40	30	1	1301
1808.1	(f)	<sup>2</sup> Employment of Driver After Notice of Disqualifying Action by DMV	300	300		210	150	150	60	60	1230	40	30	1	1301
1808.45		Unauthorized Disclosure of DMV Records	1000	1000		700	500	500	200	200	4100	40	30	1	4171
2468	(a)	<sup>3</sup> Failure of Licensed Renderer to Keep Written Records of Inedible Kitchen Grease	1000	1000		700	500	500	200	200	4100	40	30	1	4171
2468	(b)	<sup>3</sup> Refusal of Licensed Renderer or Registered Transporter to Exhibit Required Record or Destruction of Required Record	1000	1000		700	500	500	200	200	4100	40	30	1	4171
2800	(a)	<sup>4</sup> Refusal to Obey Peace Officer	50	50		35	25	25	10	10	205	40	30	1	276
2800	(b)(1)	Refusal to Comply With Peace Officer's Out-of-Service Order	200	200		140	100	100	40	40	820	40	30	1	891
2800	(b)(2)	Refusal of Driver Transporting Hazardous Materials to Comply With Peace Officer's Out-of-Service Order	200	200		140	100	100	40	40	820	40	30	1	891
2800	(b)(3)	Refusal of Driver of Vehicle Designed to Transport 16 or more People to Comply With Peace Officer's Out-of-Service Order	200	200		140	100	100	40	40	820	40	30	1	891
2800	(c)	Refusal to Comply With U.S. Secretary of DOT's Out-of-Service Order	200	200		140	100	100	40	40	820	40	30	1	891
2800	(d)	Refusal to Comply With Out-of-Service Order by Specified Persons	200	200		140	100	100	40	40	820	40	30	1	891
2800	(e)	Refusal of Driver of Commercial Vehicle to Comply With Inspection	200	200		140	100	100	40	40	820	40	30	1	891
2800.1	(a,b)	Fleeing Peace Officer Prohibited	500	500		350	250	250	100	100	2050	40	30	1	2121
2800.2	(a)	Fleeing Peace Officer--Reckless Driving With Disregard for Safety Involved	1000	1000		700	500	500	200	200	4100	40	30	1	4171
2800.3		<sup>5</sup> Fleeing Peace Officer/Causing Injury	5000	5000		3500	2500	2500	1000	1000	20500	40	30	1	20571
2800.4		<sup>6</sup> Driving Opposite to Direction of Lawfully Moving Traffic While Fleeing Peace Officer	3000	3000		2100	1500	1500	600	600	12300	40	30	1	12371
2801		<sup>4</sup> Refusal to Obey Firefighter Prohibited	50	50		35	25	25	10	10	205	40	30	1	276
2803	(a)	<sup>4</sup> Refusal to Adjust Unsafe or Unlawful Load	50	50		35	25	25	10	10	205	40	30	1	276
2803	(b)	<sup>4</sup> Failure to Submit Weight Certificate or Bill of Lading to Officer	50	50		35	25	25	10	10	205	40	30	1	276
2813		Commercial Vehicle Inspection Required	25	30		21	15	15	5	6	117	40	30	1	188
4461	(b)	<sup>7</sup> Improper Use of Disabled Person Placard	250	250		175	125	125	50	50	1025	40	30	1	1096
4461	(c)	<sup>8</sup> Improper Display/Presentation of Disabled Person Placard	250	250		175	125	125	50	50	1025	40	30	1	1096
4461	(d)	<sup>8</sup> Improper Use of Special Identification Plate	250	250		175	125	125	50	50	1025	40	30	1	1096
4462.5		Unlawful Display of Evidence of Registration With Intent to Avoid Compliance	150	150		105	75	75	30	30	615	40	30	1	686
4463	(b)(1-3)	<sup>9</sup> Unlawful Forgery, Passing, Possession, or Sale of Disabled Person Placard With Fraudulent Intent	500	500		350	250	250	100	100	2050	40	30	1	2121
4463	(c)	<sup>10</sup> Unlawful Display of Forged, Counterfeit, or False Disabled Person Placard With Fraudulent Intent	250	250		175	125	125	50	50	1025	40	30	1	1096
5753	(a-d)	<sup>11</sup> Failure of Commercial Dealer to Deliver Certificate of Ownership and Registration Card to Transferee	150	150		105	75	75	30	30	615	40	30	1	686
5753	(f)	<sup>12</sup> Failure of Licensed Dealer Upon Written Request to Disclose Pertinent Information Regarding Payment or Documents Required for Release	150	150		105	75	75	30	30	615	40	30	1	686

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **		
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>					
5901	(a)	<sup>13</sup> Failure of Dealer or Lessor-Retailer to Provide Notice of Transfer to DMV Within 5 Calendar Days of Sale	150	150		105	75	75	30	30	615	40	30	1	686
5901	(b)	<sup>13</sup> Failure to Record Actual Mileage on DMV Notice of Transfer Form	150	150		105	75	75	30	30	615	40	30	1	686
5901	(c)	<sup>13</sup> Noncompliance With Mileage Recording Requirement by Person Other Than Dealer in Possession of Vehicle	150	150		105	75	75	30	30	615	40	30	1	686
8802		<sup>13</sup> Failure to Return Evidence of Registration to DMV Upon Cancellation, Suspension, or Revocation When Committed With Intent to Defraud	300	300		210	150	150	60	60	1230	40	30	1	1301
8804		<sup>14</sup> Failure by California Resident to Pay California Registration Fees While Registering Vehicle in a Foreign Jurisdiction and Operating Vehicle in California	150	150		105	75	75	30	30	615	40	30	1	686
10501	(a)	<sup>15</sup> False Report of Vehicle Theft With Intent to Deceive	300	300		210	150	150	60	60	1230	40	30	1	1301
10750	(a)	<sup>16</sup> Unauthorized Alteration of Vehicle Numbers or Identification Marks	200	200		140	100	100	40	40	820	40	30	1	891
10751	(a)	<sup>17</sup> Knowing Purchase, Sale, or Possession of Vehicle With Removed, Defaced, Altered, or Destroyed Registration or Identification Numbers	300	300		210	150	150	60	60	1230	40	30	1	1301
10753	(a)	Removing, Altering, or Obfuscating Marking that Has Been Added to a Catalytic Converter	1000	1000		700	500	500	200	200	4100	40	30	1	4171
10753	(b)	Knowingly Possessing Three or More Catalytic Converters that Have the Markings Altered, Removed, or Obfuscated	1000	1000		700	500	500	200	200	4100	40	30	1	4171
10851	(a)	<sup>12</sup> Driving or Taking Vehicle Without Consent of Owner With Intent to Deprive Owner of Title or Possession of Vehicle	1500	1500		1050	750	750	300	300	6150	40	30	1	6221
10851.5		<sup>18</sup> Theft of Binder Chains	1000	1000		700	500	500	200	200	4100	40	30	1	4171
10852		<sup>16</sup> Injuring or Tampering With Vehicle or Contents Without Consent of Owner	300	300		210	150	150	60	60	1230	40	30	1	1301
10853		<sup>16</sup> Climbing Onto, Attempting to Manipulate, or Tampering With Unattended Vehicle With Intent to Commit Malicious Injury, Mischief, or Crime	500	500		350	250	250	100	100	2050	40	30	1	2121
10854		<sup>19</sup> Tampering With, Driving, or Removing Any Part of Vehicle by Bailee	300	300		210	150	150	60	60	1230	40	30	1	1301
11500	(a)(1)	<sup>20</sup> Conducting Business as Automobile Dismantler Without Valid Permit/License	250	250		175	125	125	50	50	1025	40	30	1	1096
11520	(a)	<sup>21</sup> Failure of Licensed Auto Dismantler to Provide Required Notice to DMV and DOJ Within Required Time	150	150		105	75	75	30	30	615	40	30	1	686
11700		<sup>21</sup> Acting as Dealer, Remanufacturer, Manufacturer, Transporter, or Distributor Without a Valid License	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(a-d)	<sup>21</sup> False Advertising by Dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(e)	<sup>21</sup> Engage in Business Without Required Bond	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(f)	<sup>21</sup> Engage in Business Without Maintaining Established Place of Business	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(g)	<sup>21</sup> Failure to Include Fee for Licensing and Transfer of Title as Added Cost in Selling Price	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(h)	<sup>21</sup> Employ or Fail to Report Unlicensed Salesperson	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(i)	<sup>21</sup> Deliver Vehicle for Operation on California Highways That Fails to Meet Code Requirements	250	250		175	125	125	50	50	1025	40	30	1	1096

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**  
**(Vehicle Code)**

Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **		
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>30</b>	<b>1</b>		
11713	(j)	<sup>21</sup> Permit or Engage in the Unauthorized Use of Special Plates	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(k)	<sup>21</sup> Falsely Advertise That No Down Payment Is Necessary	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(l)	<sup>21</sup> Failure to Pay Full Sales Tax Due to IRS	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(m)	<sup>21</sup> Permit Unauthorized Use of Dealer's License by Non-dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(n)	<sup>21</sup> Permit Unauthorized Use of Dealer's License by Non-dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(o)	<sup>21</sup> Disconnecting or Resetting Odometer by Dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(p)	<sup>21</sup> Acceptance of Deposit by Licensee Without Availability of Vehicle As Required	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(q)	<sup>21</sup> Consignment of New Vehicle for Sale to Another Dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(r)	<sup>21</sup> Display of Vehicle for Sale at Place Not Authorized by DMV for Dealer	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(s)	<sup>21</sup> Advertisement of Vehicle by Dealer Using Photo With Different Year, Make, Make, or Model	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(t)	<sup>21</sup> Failure of Dealer to Disclose in Ad Previous Use of Vehicle	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(u)	<sup>21</sup> Advertise prior use in an inaccurate manner	250	250		175	125	125	50	50	1025	40	30	1	1096
11713	(v)	<sup>21</sup> Offering a subscription for hardware already installed	250	250		175	125	125	50	50	1025	40	30	1	1096
11713.17	(a,b)	<sup>21</sup> Violation by Dealer, Manufacturer, or Distributor of Requirements for Securing Front License on Vehicle	150	150		105	75	75	30	30	615	40	30	1	686
11725	(a)	<sup>21</sup> Removal of Vehicle to Foreign Jurisdiction for Registration	150	150		105	75	75	30	30	615	40	30	1	686
11725	(b)	<sup>21</sup> Failure to Remove License Plates From Vehicle If Known That Vehicle Is to Be Exported to Foreign Jurisdiction	150	150		105	75	75	30	30	615	40	30	1	686
11800		<sup>21</sup> Conduct of Business as Vehicle Salesperson Without Valid License	250	250		175	125	125	50	50	1025	40	30	1	1096
12110	(a)	<sup>22</sup> Providing or Requesting a Commission, Gift, or Compensation Consideration of Arranging or Requesting the Services of a Tow Truck	1000	1000		700	500	500	200	200	4100	40	30	1	4171
12110	(c)	<sup>22</sup> Exchange of Valuable Consideration Between Towing Service or Employee of Towing Service and Repair Shop or Employee of Repair Shop for the Delivery or Arranging of Delivery of a Vehicle for Storage or Repair	1000	1000		700	500	500	200	200	4100	40	30	1	4171
12500	(a)	<sup>23</sup> Unlawful to Drive Unless Licensed	100	100		70	50	50	20	20	410	40	30	1	481
12515	(b)	Minor Under 21 Employed to Drive in Interstate Commerce or Carry Hazardous Materials	200	200		140	100	100	40	40	820	40	30	1	891
12517	(a)(2)	<sup>21</sup> Operation of School Bus Without Certificate in Possession While Transporting Pupils	250	250		175	125	125	50	50	1025	40	30	1	1096
12517	(b)	<sup>21</sup> Operation of School Pupil Activity Bus Without Certificate in Possession While Transporting Pupils	250	250		175	125	125	50	50	1025	40	30	1	1096
12517.45	(a)	Unlawful Operation of Specified Vehicle Transporting Pupils	250	250		175	125	125	50	50	1025	40	30	1	1096
12519	(a)	Unlawful to Drive Without Farm Labor Vehicle License	80	80		56	40	40	16	16	328	40	30	1	399
12951	(b)	Refusal to Present License to Officer	50	50		35	25	25	10	10	205	40	30	1	276
13004	(a-g)	Identification Card-Unlawful Use	50	50		35	25	25	10	10	205	40	30	1	276
13004.1	(a)	<sup>24</sup> Manufacture/Sale of Fraudulent ID	250	250		175	125	125	50	50	1025	40	30	1	1096
14601	(a)	<sup>25</sup> Driving While Suspended or Revoked	300	300		210	150	150	60	60	1230	40	30	1	1301

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Night Court	Total Bail **		
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>			<b>40</b>	<b>30</b>	<b>1</b>	
14601.1	(a)	<sup>25</sup> Driving While Suspended or Revoked for Offenses Not Relating to Driving Ability	300	300		210	150	150	60	60	1230	40	30	1	1301	
14601.2	(a,b)	<sup>26</sup> Driving While Suspended or Revoked for Driving Under Influence of Alcohol/Drugs	500	500		350	250	250	100	100	2050	40	30	1	2121	
14601.3	(a)	<sup>27</sup> Accumulation of Driver Record History by Habitual Traffic Offender During Period of License Suspension or After Revocation	1000	1000		700	500	500	200	200	4100	40	30	1	4171	
14601.4	(a)	<sup>28</sup> Causing Bodily Injury While Driving With Suspended License	500	500		350	250	250	100	100	2050	40	30	1	2121	
14601.5	(a,b)	<sup>29</sup> Driving When Privilege Suspended or Revoked for Refusing Chemical Test or Driving With Excessive Blood Alcohol	500	500		350	250	250	100	100	2050	40	30	1	2121	
14602.6	(g)(4)	Knowingly Releasing Impounded Vehicle Prior to End of Impoundment Period	2000	2000		1400	1000	1000	400	400	8200	40	30	1	8271	
14604	(a)	<sup>21</sup> Knowingly Allow Another to Drive Vehicle Without Valid Driver's License	150	150		105	75	75	30	30	615	40	30	1	686	
14610	(a)(1-8)	Unlawful Use of License Defined	100	100		70	50	50	20	20	410	40	30	1	481	
14610.1	(a)	<sup>30</sup> Manufacture/Sale of Fraudulent ID/Driver's License Prohibited	250	250		175	125	125	50	50	1025	40	30	1	1096	
15309.5	(a)(1)	<sup>31</sup> Sell, Offer, Distribute, or Use Crib Sheet or Device for Commercial Driver's License Examination	350	350		245	175	175	70	70	1435	40	30	1	1506	
15309.5	(a)(2)	<sup>31</sup> Impersonate or Allow Impersonation of Applicant for Commercial Driver's License Examination	350	350		245	175	175	70	70	1435	40	30	1	1506	
15309.5	(a)(3)	<sup>31</sup> Provide or Use Unauthorized Assistance During Commercial Driver's License Examination	350	350		245	175	175	70	70	1435	40	30	1	1506	
15501		<sup>21</sup> Presentation of False Driver's License by Minor	150	150		105	75	75	30	30	615	40	30	1	686	
16030	(a)	<sup>32</sup> False Evidence of Financial Responsibility	750	750		525	375	375	150	150	3075	40	30	1	3146	
16560	(a,b)	Violation of Interstate Highway Carrier Requirements	300	300		210	150	150	60	60	1230	40	30	1	1301	
20001	(a)	<sup>33</sup> Duty to Stop When Involved in Accident With Injury or Death	1000	1000		700	500	500	200	200	4100	40	30	1	4171	
20002	(a,b)	Hit and Run--Property Damage	300	300		210	150	150	60	60	1230	40	30	1	1301	
20003		<sup>34</sup> Failure to Provide Required Information or Render Necessary Assistance to Occupants of Struck Vehicle With Accident Resulting in Injury or Death	250	250		175	125	125	50	50	1025	40	30	1	1096	
21200.5		Bicyclist Riding Under the Influence	150	150		105	75	75	30	30	615	40	30	1	686	
21464	(d)	<sup>35</sup> Willful Interference With Traffic Device or Willful Use, Possession, or Distribution of Traffic Interference Device That Results in Injury or Death	5000	5000		3500	2500	2500	1000	1000	20500	40	30	1	20571	
21651	(b)	<sup>34</sup> Driving Wrong Way on Divided Highway	80	80		56	40	40	16	16	328	40	30	1	399	
21651	(c)	<sup>36</sup> Willfully Driving Wrong Way on Divided Highway and Causing Injury or Death	1000	1000		700	500	500	200	200	4100	40	30	1	4171	
21655.9	(c)	<sup>37</sup> Operate or Own Vehicle That Displays Low-Emission Decal Not Issued for the Vehicle	250	250		175	125	125	50	50	1025	40	30	1	1096	
21702	(a,b)	<sup>38</sup> Limitation on Driving Hours	100	100		70	50	50	20	20	410	40	30	1	481	
21713		Armored Car Without License	90	90		63	45	45	18	18	369	40	30	1	440	
21963		Blind Pedestrians Right-of-Way	500	500		350	250	250	100	100	2050	40	30	1	2121	
22406.1	(a)	<sup>39</sup> Maximum Speed for Commercial Vehicles--In Excess of Speed Limit by 15 MPH or More	300	300		210	150	150	60	60	1230	40	30	1	1301	



**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
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				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>			<b>40</b>	<b>30</b>	<b>1</b>	
22513	(a)(1)	Illegal Stop by Tow Truck on Highway	100	100		70	50	50	20	20	40	30	1	481		
22513	(a)(2-4)	Failure to Possess Required Information for Stop of Tow Truck on Highway	100	100		70	50	50	20	20	40	30	1	481		
22513	(b)	<sup>40</sup> Failure to Maintain or Provide Required Information for Stop of Tow Truck on Highway	250	250		175	125	125	50	50	40	30	1	1096		
22513	(c)(1,2)	<sup>40</sup> Failure to Provide Written Estimate as Required for Tow Services	250	250		175	125	125	50	50	40	30	1	1096		
22513	(d)(1,3)	<sup>40</sup> Illegal Fee Charged for Tow or Storage Services	250	250		175	125	125	50	50	40	30	1	1096		
22513	(d)(4)	<sup>40</sup> Failure to Provide or Maintain Required Information for Tow or Storage Services	250	250		175	125	125	50	50	40	30	1	1096		
22513.1	(a)(1)	Failure to Maintain Required Information for Tow and Storage of Vehicle	150	150		105	75	75	30	30	40	30	1	686		
22513.1	(b)	<sup>41</sup> Business Taking Possession Of A Vehicle From A Tow Truck After Hours	250	250		175	125	125	50	50	40	30	1	1096		
22513.1	(b) (c)	<sup>42</sup> Failure to Maintain and Provide Required Information for Tow and Storage of Vehicle	250	250		175	125	125	50	50	40	30	1	1096		
22658	(g)(1)(B)	<sup>43</sup> Failure of Tow Company or Driver on Request by Owner or Owner's Agent to Release Vehicle Not Yet in Transit	250	250		175	125	125	50	50	40	30	1	1096		
22658	(i)(1)(B)	<sup>44</sup> Failure to Make Rate Approved by CHP Available for Inspection Within 24 Hours of Request	1000	1000		700	500	500	200	200	40	30	1	4171		
22658	(j)(2)	<sup>44</sup> Charging Excessive Rate for Towing Service or Storage	1000	1000		700	500	500	200	200	40	30	1	4171		
22658	(k)(1,2)	<sup>44</sup> Refusal of Credit Card by Storage Facility for Payment of Charges for Towed Vehicle	1000	1000		700	500	500	200	200	40	30	1	4171		
22658	(l)	<sup>44</sup> Violation by Tow Company of Requirements for Removal of Vehicle From Private Property	1000	1000		700	500	500	200	200	40	30	1	4171		
22658	(m)(1)	<sup>43</sup> Failure of Tow Company to Provide Notice of Removal of Vehicle As Required	250	250		175	125	125	50	50	40	30	1	1096		
23103	(a,b)	<sup>45</sup> Reckless Driving	145	150		105	75	75	29	30	40	30	1	680		
23104	(a)	<sup>46</sup> Reckless Driving–Bodily Injury	350	350		245	175	175	70	70	40	30	1	1506		
23104	(b)	<sup>47</sup> Reckless Driving–Great Bodily Injury	500	500		350	250	250	100	100	40	30	1	2121		
23105	(a)	<sup>48</sup> Reckless Driving–Specific Injury	750	750		525	375	375	150	150	40	30	1	3146		
23109	(a)	<sup>49</sup> Engaging in Speed Contests Prohibited	360	360		252	180	180	72	72	40	30	1	1547		
23109	(b)	<sup>50</sup> Abetting Speed Contest Prohibited	100	100		70	50	50	20	20	40	30	1	481		
23109	(c)	<sup>50</sup> Engaging in or Abetting Exhibition of Speed Prohibited	100	100		70	50	50	20	20	40	30	1	481		
23109	(d)	<sup>50</sup> Placing Barricades or Obstructions Prohibited	100	100		70	50	50	20	20	40	30	1	481		
23109	(e)(2)	<sup>51</sup> Engaging in Speed Contest and Causing Bodily Injury	500	500		350	250	250	100	100	40	30	1	2121		
23109.1		<sup>52</sup> Engaging in Speed Contest–Specific Injury	750	750		525	375	375	150	150	40	30	1	3146		
23110	(a)	Throwing Substance at Vehicle Prohibited	250	250		175	125	125	50	50	40	30	1	1096		
23112.5	(a)	Hazardous Materials–Notification of Agency Required	2000	2000		1400	1000	1000	400	400	40	30	1	8271		
23118	(f)(4)	Release of Impounded Vehicle by Legal Owner or Agent Prior to End of Impoundment Period	2000	2000		1400	1000	1000	400	400	40	30	1	8271		
23127		Motor Vehicle on Riding/Hiking Trails Prohibited	50	50		35	25	25	10	10	40	30	1	276		
23152	(a,b)	<sup>53</sup> Driving Under Influence of Alcohol	390	390		273	195	195	78	78	40	30	1	1670		

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
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Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Night Court	Total Bail **	
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>					
23152	(c)	<sup>53</sup> Driving While Addicted to Drug	390	390		273	195	195	78	78	1599	40	30	1	1670
23152	(d)	<sup>53</sup> Driving Commercial Vehicle Under Influence of Alcohol	450	450		315	225	225	90	90	1845	40	30	1	1916
23152	(e)	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC.	390	390		273	195	195	78	78	1599	40	30	1	1670
23152	(f)	Driving Under Influence of Drug	390	390		273	195	195	78	78	1599	40	30	1	1670
23152	(g)	Driving Under Influence of Alcohol and Drug	390	390		273	195	195	78	78	1599	40	30	1	1670
23153	(a,b)	<sup>54</sup> Driving Under Influence of Alcohol While Causing Injury	500	500		350	250	250	100	100	2050	40	30	1	2121
23153	(d)	<sup>54</sup> Driving Commercial Vehicle Under Influence of Alcohol While Causing Injury	500	500		350	250	250	100	100	2050	40	30	1	2121
23153	(e)	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC and Causing Injury.	500	500		350	250	250	100	100	2050	40	30	1	2121
23153	(f)	<sup>54</sup> Driving Under Influence of Drug While Causing Injury	500	500		350	250	250	100	100	2050	40	30	1	2121
23153	(g)	<sup>54</sup> Driving Under Influence of Alcohol and Drug While Causing Injury	500	500		350	250	250	100	100	2050	40	30	1	2121
23224	(a,b)	<sup>55</sup> Possession of Alcohol by Minor Prohibited	100	100		70	50	50	20	20	410	40	30	1	481
23247	(a-e)	<sup>56</sup> Unlawful to Rent/Loan Vehicle; Solicit Someone to Engage Required Interlock Device; Blow Into Device/Start; Tamper With Vehicle Requiring Interlock Device	1000	1000		700	500	500	200	200	4100	40	30	1	4171
23253		Failure to Obey CHP or DOT Officers at Vehicle Crossing	50	50		35	25	25	10	10	205	40	30	1	276
23332		Trespass on Vehicular Crossing Prohibited	50	50		35	25	25	10	10	205	40	30	1	276
23573	(i)	<sup>57</sup> Willful Failure to Install Ignition Interlock Device Within Required 30 Days	500	500		350	250	250	100	100	2050	40	30	1	2121
24002.5	(a)	<sup>58</sup> Unlawful Operation of a Farm Labor Vehicle	1000	1000		700	500	500	200	200	4100	40	30	1	4171
24011.3	(a)	<sup>59</sup> Passenger Vehicle Manufacturer Willfully Fails to Affix Bumper Strength Notice or Willfully Misstates Information in the Notice	200	200		140	100	100	40	40	820	40	30	1	891
24011.3	(c)(2)	<sup>60</sup> Willful Defacement, Alteration, or Removal of New Vehicle Bumper Strength Notice Prior to Delivery of the Vehicle	200	200		140	100	100	40	40	820	40	30	1	891
27150.1		<sup>61</sup> Sale of Exhaust Systems Restricted	50	50		35	25	25	10	10	205	40	30	1	276
27317	(a)	<sup>62</sup> Manufacture or Sell Counterfeit or Nonfunctioning Airbag	500	500		350	250	250	100	100	2050	40	30	1	2121
27317	(b)	<sup>62</sup> Sell or Install Device That Disables a Vehicle's Counterfeit Airbag Indicator	500	500		350	250	250	100	100	2050	40	30	1	2121
27362	(a)	<sup>63</sup> Sale of Nonapproved Child Restraint System Prohibited	200	200		140	100	100	40	40	820	40	30	1	891
28050		<sup>60</sup> Advertisement, Sale, Use, or Installation of Device Causing Motor Vehicle Odometer to Register Mileage Other Than True Mileage Driven	200	200		140	100	100	40	40	820	40	30	1	891
28050.5		<sup>60</sup> Operation of Motor Vehicle Knowing the Odometer Is Disconnected or Nonfunctional With Intent to Defraud	200	200		140	100	100	40	40	820	40	30	1	891
28051		<sup>60</sup> Disconnecting, Turning Back, or Resetting Odometer of Motor Vehicle	200	200		140	100	100	40	40	820	40	30	1	891
28051.5		<sup>60</sup> Advertisement, Sale, or Use of Device Designed for Purpose of Turning Back or Resetting Odometer of Motor Vehicle to Reduce Mileage Indicated	200	200		140	100	100	40	40	820	40	30	1	891
28150	(d)	<sup>60</sup> Possession of Four or More Radar Jamming Devices	200	200		140	100	100	40	40	820	40	30	1	891
31303	(b-e)	Violating Requirements for Transportation of Hazardous Waste	300	300		210	150	150	60	60	1230	40	30	1	1301

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
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				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>30</b>	<b>1</b>	
31401	(b)	Farm Labor Buses and Trucks–Inspection Required	500	500		350	250	250	100	100	2050	40	30	1	2121
31401	(d)	<sup>64</sup> Willful Rental or Use by Owner or Contractor of Farm Labor Vehicle Without CHP Inspection per VC 31401(b)	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31402	(a)	<sup>65</sup> Operation of Unsafe Farm Labor Vehicle Prohibited	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31403		Mechanic Certification of Farm Labor Vehicle Required	500	500		350	250	250	100	100	2050	40	30	1	2121
31602	(a-c)	Transportation of Explosives–License, Routes to Be Used, Stopping Specified	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31607	(a)	Inspection of Vehicle Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31609		Record of Inspection Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31610	(a-e)	Proper Equipment, Maintenance of Vehicle Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31611		Proper Maps of Route of Vehicle Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31612		Carry and Display Shipping Instructions	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31613		Prohibited Explosive Cargoes Defined	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31614	(a,b,d,e,h)	Transport Explosives Through Local Route; Congested Areas; With Unenclosed, Uncovered Loads; While Smoking or With Open Flame	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31614	(c,g)	Loading Explosives Without Motor Stopped, Brakes Set; Vehicle Transporting Explosives Left Unattended	1000	1000		700	500	500	200	200	4100	40	30	1	4171
31614	(f,i)	Driving With Explosives in Vehicle Near/Through Fires in Passenger Vehicle	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32000.5	(a)	Hazardous Materials Transportation–Company Unlicensed	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32000.5	(d)	Fireworks Transportation–Failure to Carry License or Present as Required	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32001	(c)	Hazardous Material–Motor Carrier Directing Transportation Unlawfully	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32002	(a)	Violations of Division 14.1 Regulations	1000	1000		700	500	500	200	200	4100	40	30	1	4171
32002	(b)	<sup>66</sup> Unlicensed Transportation of Hazardous Materials	2000	2000		1400	1000	1000	400	400	8200	40	30	1	8271
33000		<sup>67</sup> Violation of Shipment Regulations for the Transportation of Radioactive Materials	1000	1000		700	500	500	200	200	4100	40	30	1	4171
34100		Illegal Operation of Tank Vehicle Transporting Hazardous Waste or Flammable and Combustible Liquids on a Public Highway	1000	1000		700	500	500	200	200	4100	40	30	1	4171
34501	(e)	Operation of Bus Without Current Inspection by CHP	200	200		140	100	100	40	40	820	40	30	1	891
34501.12	(b)	<sup>68</sup> Unlawful Operation of Vehicle by Motor Carrier Without Submitting Required Inspection Information	100	100		70	50	50	20	20	410	40	30	1	481
34501.12	(d)	<sup>68</sup> Unlawful Operation of Vehicle by Motor Carrier	100	100		70	50	50	20	20	410	40	30	1	481
34501.3	(a)	<sup>69</sup> Unlawful Scheduling of Runs by Motor Carriers	200	200		140	100	100	40	40	820	40	30	1	891
34505	(a-c)	<sup>70</sup> Violation of Tour Bus Inspection and Repair Requirements	200	200		140	100	100	40	40	820	40	30	1	891
34505.5	(a-c)	<sup>70</sup> Violation of Motor Carrier Vehicle Inspection and Repair Requirements	200	200		140	100	100	40	40	820	40	30	1	891
34505.9	(a)(4)(D)	<sup>70</sup> Violation of Intermodal Roadability Inspection Program	200	200		140	100	100	40	40	820	40	30	1	891
34506	(a)	<sup>71</sup> Driver's Hours of Service	500	500		350	250	250	100	100	2050	40	30	1	2121
34506	(b)	<sup>70</sup> Failure to Comply With Specified Regulation of Hazardous Material Transportation	200	200		140	100	100	40	40	820	40	30	1	891
34506	(c)	<sup>70</sup> Failure to Comply With Specified Regulation of School Buses	200	200		140	100	100	40	40	820	40	30	1	891
34506	(d)	<sup>70</sup> Failure to Comply With Specified Regulation of Youth Buses	200	200		140	100	100	40	40	820	40	30	1	891
34506	(e)	<sup>70</sup> Failure to Comply With Specified Regulation of Tour Buses	200	200		140	100	100	40	40	820	40	30	1	891

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				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>30</b>	<b>1</b>	
34506	(f)	<sup>70</sup> Failure to Comply With Specified Regulation of Described Vehicles	200	200		140	100	100	40	40	820	40	30	1	891
34506	(g)	<sup>70</sup> Failure to Comply With Specified Regulation of School Pupil Activity Buses	200	200		140	100	100	40	40	820	40	30	1	891
34620	(a-c)	Failure to comply with motor carrier permit and licensing	200	200		140	100	100	40	40	820	40	30	1	891
34623	(h)	<sup>72</sup> Motor Carrier of Property Operating Vehicle While Permit Suspended	200	200		140	100	100	40	40	820	40	30	1	891
34623	(i)(1)	<sup>72</sup> Motor Carrier of Property With Suspended Permit Allowing Any Vehicles Subject to Suspension Based on Failure to Maintain to Be Operated by Another Carrier	500	500		350	250	250	100	100	2050	40	30	1	2121
34623	(i)(2)	<sup>70</sup> Motor Carrier of Property Knowingly Utilizing a Vehicle From a Motor Carrier Whose Permit Is Suspended Based on a Failure to Maintain Any Vehicle	300	300		210	150	150	60	60	1230	40	30	1	1301
34690		Violation of Private Carriers of Passengers Registration Act	100	100		70	50	50	20	20	410	40	30	1	481
35550	(a)	<sup>70</sup> Maximum Weight on Single Axle or Wheels													
35551	(a,b)	<sup>70</sup> Computation of Allowable Gross Weight													
35551.5	(b-d)	<sup>70</sup> Violation of Gross Weight Computation Method Prescribed for Combinations Containing Trailer/Semitrailer by More Than 4,500 Pounds													
35554	(a)(1)	<sup>70</sup> Gross Weight More Than 20,500 Pounds on Any One Axle of a Bus and More Than 4,500 Pounds Over Weight Limit													
35554	(c)	<sup>70</sup> Operation of Transit Bus in Excess of Federal Weight Limit and More Than 4,500 Pounds Over Weight Limit													
35600		<sup>70</sup> Noncompliance With Solid Tire Gross Weight Limitation Standards by More Than 4,500 Pounds													
35601		<sup>70</sup> Noncompliance With Metal Tire Gross Weight Limitation Standards by More Than 4,500 Pounds													
35655	(a)	<sup>70</sup> Operation of Vehicle on Highway Containing Load Exceeding Maximum Weight Highway Is Designed to Sustain by More Than 4,500 Pounds													
35712		<sup>70</sup> Violation of County Ordinance Prohibiting Commercial Vehicles Exceeding Certain Weight Limitations by More Than 4,500 Pounds in Residential Area													
35753	(a)	<sup>70</sup> Operation of Vehicle Over Bridge, Causeway, Viaduct, Trestle, or Dam in Vehicle Containing Load Exceeding the Maximum Weight the Structures Will Safely Sustain by More Than 4,500 Pounds													
35784	(a)	Failure to Obey Permit Terms and Designated Route for Extra-legal Load	100	100		70	50	50	20	20	410	40	30	1	481
35784	(b)	<sup>73</sup> Violation of Special Permit Requirements	150	150		105	75	75	30	30	615	40	30	1	686
35784	(c)	Extra-legal Load Not on Designated Route	100	100		70	50	50	20	20	410	40	30	1	481
35784.5	(a)	<sup>74</sup> Transportation of Extra-legal Load Without Permit	150	150		105	75	75	30	30	615	40	30	1	686
35785	(b)	Violation of Single Saw Log Hauling Speed Limit of 15 MPH Over Bridge or Causeway or 25 MPH on Highway	150	150		105	75	75	30	30	615	40	30	1	686
35786	(b)	<sup>75</sup> Operation of Truck Booster Power Unit in Noncompliance With Route Specifications and Time Limitations Set by Permit	100	100		70	50	50	20	20	410	40	30	1	481

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Night Court	Total Bail **	
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>30</b>	<b>1</b>	
35790	(g)	<sup>75</sup> Failure to Carry Appropriate Permits, Certificates, and Notices Required for Movement of Manufactured Homes	100	100		70	50	50	20	20	410	40	30	1	481
35790	(h)	<sup>76</sup> Violation of Terms, Conditions, or Limitations Specified in Manufactured-Home Transportation Permits	100	100		70	50	50	20	20	410	40	30	1	481
38316	(a)	<sup>76</sup> Reckless Driving of Off-Highway Motor Vehicle	150	150		105	75	75	30	30	615	40	30	1	686
38317		<sup>77</sup> Reckless Driving of Off-Highway Motor Vehicle Causing Injury	300	300		210	150	150	60	60	1230	40	30	1	1301
38318	(a)	<sup>78</sup> Throwing Substance at Off-Highway Motor Vehicle	300	300		210	150	150	60	60	1230	40	30	1	1301
38318.5		<sup>78</sup> Malicious Removal or Alteration of Markers or Signs	300	300		210	150	150	60	60	1230	40	30	1	1301
38319		<sup>79</sup> Operation of Off-Highway Motor Vehicle Likely to Cause Damage	300	300		210	150	150	60	60	1230	40	30	1	1301
40001	(c)	<sup>79</sup> Violation by Employer of Out-of-Service Order	300	300		210	150	150	60	60	1230	40	30	1	1301
40001	(d)	<sup>80</sup> Employer Allows, Permits, Requires, or Authorizes Driver to Operate Commercial Motor Vehicle in Violation of Railroad-Highway Grade Crossing Statute or Regulation	2000	2000		1400	1000	1000	400	400	8200	40	30	1	8271
40005		<sup>81</sup> Employer Undertakes Responding to Employee Driver's Citation and Inaction by Employer Results in Issuance of Warrant for Employee	200	200		140	100	100	40	40	820	40	30	1	891
40008	(a)	<sup>82</sup> Violation of Section 21701 or 21703 With Intent to Capture Physical Impression of Another Person for Commercial Purpose	750	750		525	375	375	150	150	3075	40	30	1	3146
40008	(a)	<sup>82</sup> Violation of Section 23103 With Intent to Capture Physical Impression of Another Person for Commercial Purpose	750	750		525	375	375	150	150	3075	40	30	1	3146
40008	(b)	<sup>83</sup> Violation of Section 21701 or 21703 With Intent to Capture Physical Impression of Another Person for Commercial Purpose and Causing Endangerment of Minor	1500	1500		1050	750	750	300	300	6150	40	30	1	6221
40008	(b)	<sup>83</sup> Violation of Section 23103 With Intent to Capture Physical Impression of Another Person for Commercial Purpose and Causing Endangerment of Minor	1500	1500		1050	750	750	300	300	6150	40	30	1	6221
40504	(b)	Signing Written Promise to Appear With False Name	250	250		175	125	125	50	50	1025	40	30	1	1096
40508	(a-c)	Violation of Promise to Appear, Promise to Pay	50	50		35	25	25	10	10	205	40	30	1	276
40519	(c)	<sup>81</sup> Failure to Appear at Time of Trial After Pleading Not Guilty in Writing	50	50		35	25	25	10	10	205	40	30	1	276
40614		Use of Fictitious Name Prohibited	100	100		70	50	50	20	20	410	40	30	1	481
40616		Violation of Promise to Correct	100	100		70	50	50	20	20	410	40	30	1	481
42005	(i)	Failure to Attend Court-Ordered TVS	75	80		56	40	40	15	16	322	40	30	1	393
<b>California Code of Regulations, Title 13, Article 3</b>															
<b>HAZARDOUS MATERIALS TRANSPORTATION</b>															
1160.4	(e)	Inspection by Department	200	200		140	100	100	40	40	820	40	30	1	891
1160.4	(g)	Hazardous Material Transportation License Not in Vehicle	100	100		70	50	50	20	20	410	40	30	1	481
1161	(a,b)	Shipping Papers	100	100		70	50	50	20	20	410	40	30	1	481
1162	(a,c)	Placards	100	100		70	50	50	20	20	410	40	30	1	481
1162.1		Fire Extinguishers	100	100		70	50	50	20	20	410	40	30	1	481
1163	(a,b)	Shipment Preparation, Unauthorized Packing	100	100		70	50	50	20	20	410	40	30	1	481
1163	(d)	Leaking Package	200	200		140	100	100	40	40	820	40	30	1	891

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
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Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **		
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>					
1163	(e)	Maintenance of Containers	100	100		70	50	50	20	20	410	40	30	1	481
1163.1		Prohibited Transportation	300	300		210	150	150	60	60	1230	40	30	1	1301
1164		Vehicle Loading	200	200		140	100	100	40	40	820	40	30	1	891
1166		Reporting of Accident	300	300		210	150	150	60	60	1230	40	30	1	1301

**Notes**

- <sup>1</sup> Per VC 40000.6(a): "a misdemeanor and not an infraction."
- <sup>2</sup> Per VC 40000.6(b): "a misdemeanor and not an infraction." Per VC 1808.1(f): "punished by confinement in a county jail for not more than six months, by a fine of not more than \$1,000, or by both that confinement and fine."
- <sup>3</sup> Per VC 2468(c)(1): "For a first offense, by a fine of not less than \$1,000 ... ."
- <sup>4</sup> Per VC 42002.1, "A person convicted of a misdemeanor violation of Section 2800, 2801, or 2803, insofar as it affects a failure to stop and submit to inspection of equipment or for an unsafe condition endangering a person, shall be punished as follows:
  - (a) By a fine not exceeding fifty dollars (\$50) or imprisonment in the county jail not exceeding five days.
  - (b) For a second conviction within a period of one year, a fine not exceeding one hundred dollars (\$100) or imprisonment in the county jail not exceeding 10 days, or both that fine and imprisonment.
  - (c) For a third or a subsequent conviction within a period of one year, a fine not exceeding five hundred dollars (\$500) or imprisonment in the county jail not exceeding six months, or both that fine and imprisonment."
- <sup>5</sup> Per VC 2800.3(a): "fine of not less than \$2,000 nor more than \$10,000 ... ."
- <sup>6</sup> Fine "not less than \$1,000 nor more than \$10,000."
- <sup>7</sup> Per VC 4461.3 a city or county may adopt an additional penalty of \$100. PC 1465.6 requires imposition of an assessment equal to 10 percent of the fine imposed.
- <sup>8</sup> Per VC 4461.3 a city or county may adopt an additional penalty of \$100. PC 1465.6 requires imposition of an assessment equal to 10 percent of the fine imposed. VC 4461.5 authorizes a civil penalty of not more than \$1,500 in addition to or instead of any fine imposed.
- <sup>9</sup> VC 4463.3 authorizes a civil penalty of not more than \$1,500 in addition to or instead of any fine imposed. Per VC 4463(b): "A person who, with intent to prejudice, damage, or defraud, commits any of the following acts is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in a county jail for six months, a fine of not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000), or both that fine and imprisonment, which penalty shall not be suspended: (1) Forges, counterfeits, or falsifies a disabled person placard or a comparable placard relating to parking privileges for disabled persons provided for by a foreign jurisdiction, or forges, counterfeits, or falsifies a disabled person placard with intent to represent it as issued by the department. (2) Passes, or attempts to pass, as true and genuine, a false, forged, or counterfeit disabled person placard knowing it to be false, forged, or counterfeited. (3) Acquires, possesses, sells, or offers for sale a genuine or counterfeit disabled person placard."
- <sup>10</sup> Per VC 4463(c): "A person who, with fraudulent intent, displays or causes or permits to be displayed a forged, counterfeited, or false disabled person placard, ... is guilty of a misdemeanor punishable by imprisonment in a county jail for six months, a fine of not less than \$250 and not more than \$1,000, or both that fine and imprisonment, which penalty shall not be suspended." PC 1465.6 requires imposition of an assessment equal to 10 percent of the fine imposed.
- <sup>11</sup> Per VC 40000.7: "Violation ... a misdemeanor and not an infraction ... when committed by a dealer or any person while a dealer within the last 12 months." Per VC 5753(e), failure of licensed dealer to comply with subdivisions (c) and (d) shall result in payment to the transferee of \$25 per day for each day that the requirements of subdivisions (c) and (d) remain unsatisfied, not to exceed a maximum payment of \$2,500. If the legal owner or lessor fails to pay this amount within 60 days following written demand by the transferee, the amount shall be trebled, not to exceed a maximum payment of \$7,500, and the transferee shall be entitled to costs and reasonable attorney's fees incurred in any court action brought to collect the payment. The right to recover these payments is cumulative with and is not in substitution or derogation of any remedy otherwise available at law or equity.

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **
			10/10			7	5/10	5	20%	2	40	30	1
12		Per VC 10851(a): "... punished by imprisonment in a county jail for not more than one year or pursuant to subdivision (h) of Section 1170 of the Penal Code or by a fine of not more than \$5,000, or by both the fine and imprisonment."											
13		Per VC 40000.7: "Violation ... a misdemeanor, and not an infraction ... when committed by a dealer or any person while a dealer within the last 12 months."											
14		Per VC 40000.7: "Violation ... a misdemeanor and not an infraction."											
15		Per VC 40000.7: "Violation ... is a misdemeanor and not an infraction ... when committed by any person with intent to defraud."											
16		Per VC 40000.9: "Violation ... a misdemeanor and not an infraction."											
17		Per VC 40000.9: "Violation ... a misdemeanor and not an infraction." VC 10751 authorizes seizure, impoundment, sale, or destruction of vehicle.											
18		Per VC 10851.5: "any person who is a party or accessory to or an accomplice in an unauthorized taking or stealing is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for not less than six months or by a fine of not less than \$1,000 or by both such fine and imprisonment."											
19		Per VC 10854: "fine of not exceeding \$1,000 or imprisonment in the county jail for not exceeding 1 year or by both."											
20		Per VC 11500(a)(2) "Notwithstanding Section 42002, a person convicted of a first violation of subdivision (a) for any reason other than described in paragraph (3) shall be punished by a fine of not less than two hundred fifty dollars (\$250). A person convicted of a second separate violation of subdivision (a) for this reason shall be punished by a fine of not less than five hundred dollars (\$500). A person convicted of a third or subsequent violation of subdivision (a) for this reason shall be punished by a fine of not less than one thousand dollars (\$1,000)"											
21		Per VC 40000.11: "Violation ... a misdemeanor and not an infraction."											
22		Per VC 12110(d)(1): "... fine of not more than \$5,000 ... ."											
23		Per Vehicle Code section 40000.10, "A violation of subdivision (a) of Section 12500 shall be punished as follows: (a) Except as provided in subdivision (b), as an infraction by a fine of one hundred dollars (\$100) for a first or second violation. (b) As a misdemeanor or an infraction as prescribed by Section 19.8 of the Penal Code if a person has a prior driver's license suspension or revocation for a violation of subdivision (c) of Section 192 of the Penal Code, subdivision (e) of Section 12809, or of Section 13353, 13353.1, 13353.2, 23103, 23104, 23105, 23109, 23152, 23153, or 23154. (c) As a misdemeanor or an infraction as prescribed by Section 19.8 of the Penal Code for a third or subsequent violation."											
24		Per VC 13004.1(b): "(1) ... fine of not less than \$250 and not more than \$1,000 and 24 hours of community service to be served when the person is not employed or is not attending school. No part of the fine or community service shall be suspended or waived. (2) In lieu of the penalties imposed under paragraph (1), the court, in its discretion, may impose a jail term of up to one year and a fine of up to \$1,000. In exercising its discretion the court shall consider the extent of the defendant's commercial motivation for the offense."											
25		Per VC 14601(f), VC 14601 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Fine of \$300 to \$1,000 set per VC 14601(b)(1). VC 14601(e) requires that, except in the interest of justice, when the court finds it would be inappropriate, the court shall, pursuant to VC 23575, require a person convicted of violating VC 14601(a), when the prosecution agrees to a plea of guilty or nolo contendere to a charge of violating VC 14601 in satisfaction of, or as a substitute for, an original charge of a violation of VC 14601.2, to install, for a period not to exceed three years, a certified ignition interlock device on any vehicle the person owns or operates.											
26		Per VC 14601.2(j), VC 14601.2 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Fine of \$300 to \$1,000 set per VC 14601.2(d)(1). VC 14601.2(h) requires that, pursuant to VC 23575, the court shall require a person convicted of a violation of VC 14601.2 to install a certified ignition interlock device on a vehicle the person owns or operates.											
27		Per VC 14601.3(f), VC 14601.3 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Per VC 14601.3(e): "Any person convicted under this section of being an habitual traffic offender shall be punished as follows: (1) Upon first conviction, by imprisonment in the county jail for 30 days and by a fine of \$1,000. (2) Upon second conviction or any subsequent offense within seven years of a prior conviction under this section, by imprisonment in the county jail for 180 days and by a fine of \$2,000. (3) Any habitual traffic offender . . . who is convicted of a violation of Section 14601.2 shall be punished by imprisonment in the county jail for 180 days and by a fine of \$2,000. The penalty in this paragraph shall be consecutive to that imposed for the violation of any other law."											

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
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Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* 10	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Cony. Assess	Night Court	Total Bail **
			10/10			7	5/10	5	20%	2	40	30	1
28		Per VC 14601.4(d), VC 14601.4 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Per 14601.4(b): "A person convicted under this section shall be imprisoned in the county jail and shall not be released upon work release, community service, or any other release program before the minimum period of imprisonment prescribed in Section 14601.2 is served." VC 14601.4(c) requires that, except in the interest of justice, when the court finds it would be inappropriate, the court shall, pursuant to VC 23575, require a person who is convicted of violating VC 14601.4 after the prosecution agrees to a plea of guilty or nolo contendere to a charge of violating VC 14601.4 in satisfaction of, or as a substitute for, an original charge of a violation of VC 14601.2 to install, for a period not to exceed three years, a certified ignition interlock device on a vehicle the person owns or operates.											
29		Per VC 14601.5(h), VC 14601.5 applies to the operation of an off-highway motor vehicle on those lands to which the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971 (Division 16.5 (commencing with VC 38000)) applies as to off-highway motor vehicles, as described in VC 38001. Fine of \$300 to \$1,000 set per VC 14601.5(d)(1). VC 14601.5(g) requires that, except in the interest of justice, when the court finds it would be inappropriate, the court shall, pursuant to VC 23575, require a person who is convicted of violating VC 14601.5(a) or VC 14601.5(b) after the prosecution agrees to a plea of guilty or nolo contendere to a charge of violating VC 14601.5(a) or VC 14601.5(b) in satisfaction of, or as a substitute for, an original charge of a violation of VC 14601.2 to install, for a period not to exceed three years, a certified ignition interlock device on a vehicle the person owns or operates.											
30		Per VC 14610.1(b): "(1) ... fine of not less than \$250 and not more than \$1,000 and 24 hours of community service to be served when the person is not employed or is not attending school. No part of the fine or community service shall be suspended or waived. (2) In lieu of the penalties imposed under paragraph (1), the court, in its discretion, may impose a jail term of up to one year and a fine of up to \$1,000. In exercising its discretion the court shall consider the extent of the defendant's commercial motivation for the offense."											
31		Per VC 15309.5(b): "A first conviction under this section is punishable as either an infraction or a misdemeanor ... . A second or subsequent conviction is punishable as a misdemeanor ... ."											
32		Per VC 16030: "... punishable by a fine not exceeding \$750 or imprisonment in the county jail not exceeding 30 days, or by both ... ." Court shall suspend or restrict the driver's license for one year of persons convicted of this offense.											
33		Per VC 20001(b)(1): "... punished by imprisonment in the state prison, or in a county jail for not more than one year, or by a fine of not less than \$1,000 nor more than \$10,000, or by both that imprisonment and fine."											
34		Per VC 40000.13: "Violation ... a misdemeanor and not an infraction."											
35		Per VC 21464: "(d) Any willful violation of subdivision (a), (b), or (c) that results in injury to, or the death of a person is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or by imprisonment in a county jail for a period of not more than six months, and by a fine of not less than \$5,000 nor more than \$10,000. ... (f) The court shall allow the offender to perform community service designated by the court in lieu of all or part of any fine imposed under this section."											
36		Per VC 40000.13: "Violation ... a misdemeanor and not an infraction." Per VC 21651(c): "Punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or imprisonment in a county jail for a period of not more than six months."											
37		Per VC 21655.9(eg): "This section is repealed as of September 30, 2025."											
38		Per VC 21702(e).											
39		A "serious traffic violation" as defined in VC 15210 and subject to sanctions under VC 15306 or VC 15308. Per VC 15306: "No driver may operate a commercial motor vehicle for a period of 60 days if the person is convicted, on or after January 1, 1992, of a serious traffic violation involving a commercial motor vehicle and the offense occurred within three years of a separate offense of a serious traffic violation which resulted in a conviction." Per VC 15308: "No person may operate a commercial motor vehicle for a period of 120 days if the person is convicted, on or after January 1, 1992, of a serious traffic violation involving a commercial motor vehicle and the offense occurred within three years of two or more separate offenses of serious traffic violations which resulted in convictions."											
40		Per VC 22513(e): "... punishable by a fine of not more than \$2,500, or by imprisonment in a county jail for not more than three months, or by both that fine and imprisonment."											
41		Per VC 22513.1 (e) "A person who willfully violates this section is guilty of a misdemeanor, and is punishable by a fine of not more than two thousand five hundred dollars (\$2,500), or by imprisonment in a county jail for not more than three months, or by both that fine and imprisonment."											
42		Per VC 22513.1(c) (e): "... punishable by a fine of not more than \$2,500, or by imprisonment in a county jail for not more than three months, or by both that fine and imprisonment."											
43		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction."											
44		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction." Sen. Bill 752 (Stats. 2013, ch. 605). Per VC 22658(j)(2): "punishable by a fine of not more than \$2,500, or by imprisonment in a county jail for not more than three months, or by both that fine and imprisonment."											
45		Per VC 23103(c): "Except as provided in section 40008, ... punished by imprisonment in a county jail for not less than five days nor more than 90 days or by a fine of not less than \$145 nor more than \$1,000, or by both that fine and imprisonment, except as provided in Section 23104 or 23105."											



**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
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			10/10			7	5/10	5	20%	2	40	30	1
46		Per VC 23104(a): "imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than \$220 nor more than \$1,000, or by both the fine and imprisonment" for reckless driving causing bodily injury.											
47		Per VC 23104(b): "Any person convicted of reckless driving which proximately causes great bodily injury, as defined in Section 12022.7 of the Penal Code, to any person other than the driver, who previously has been convicted of a violation of Section 23103, 23104, 23109, 23152, or 23153, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, by imprisonment in the county jail for not less than 30 days nor more than six months or by a fine of not less than \$220 nor more than \$1,000 or by both the fine and imprisonment."											
48		Per VC 23105(a): Reckless driving causing loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of a bodily member or organ, a wound requiring extensive suturing, a serious disfigurement, brain injury, or paralysis is "punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or imprisonment in a county jail for not less than 30 days nor more than six months, or by a fine of not less than \$220 nor more than \$1,000, or by both that fine and imprisonment."											
49		Per VC 23109(e)(1): "A person convicted of a violation of subdivision (a) shall be punished by imprisonment in a county jail for not less than 24 hours nor more than 90 days or by a fine of not less than \$355 nor more than \$1,000, or by both that fine and imprisonment. The person shall also be required to perform 40 hours of community service."											
50		Per VC 23109(i), "(1) A person who violates subdivision (b), (c), or (d) shall upon conviction of that violation be punished by imprisonment in a county jail for not more than 90 days, by a fine of not more than five hundred dollars (\$500), or by both that fine and imprisonment. (2) (A) (i) Commencing July 1, 2025, the court may order the privilege to operate a motor vehicle suspended for 90 days to six months for a person who violates subdivision (c), as provided in subparagraph (B) of paragraph (8) of subdivision (a) of Section 13352, only if the violation occurred as part of a sideshow. (ii) For purposes of this section, "sideshow" is defined as an event in which two or more persons block or impede traffic on a highway or in an offstreet parking facility for the purpose of performing motor vehicle stunts, motor vehicle speed contests, motor vehicle exhibitions of speed, or reckless driving, for spectators. A sideshow is also known as a street takeover. (B) A person's privilege to operate a motor vehicle may be restricted for 90 days to six months to necessary travel to and from that person's place of employment and, if driving a motor vehicle is necessary to perform the duties of the person's employment, restricted to driving in that person's scope of employment. (C) If the court is considering suspending or restricting the privilege to operate a motor vehicle pursuant to this paragraph, the court shall also consider whether a medical, personal, or family hardship exists that requires a person to have a driver's license for such limited purpose as the court deems necessary to address the hardship. This subdivision does not interfere with the court's power to grant probation in a suitable case.											
51		Per VC 23109(e)(2): "punishable by imprisonment in a county jail for not less than 30 days nor more than six months or by a fine of not less than \$500 nor more than \$1000, or by both the fine and imprisonment."											
52		Per VC 23109.1(a): a speed contest causing loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of a bodily member or organ, a wound requiring extensive suturing, a serious disfigurement, brain injury, or paralysis is "punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or imprisonment in a county jail for not less than 30 days nor more than six months, or by a fine of not less than \$500 nor more than \$1,000, or by both that fine and imprisonment."											
53		Per PC 1463.14(b), the county board of supervisors may authorize an additional penalty in the amount equal to the cost of testing, less \$50 deposited with the county treasurer per PC 1463.14(a). \$390 minimum base fine per VC 23536 and VC 23538. The "Total Bail" must be distributed in accordance with statutory distribution pursuant to PC 1463.001,1463.14,1463.16, 1463.18, 1464, and 1465.7; GC 70372, 70375, 76000, 76000.5, 76104.6, and 76104.7; and the accounting guidelines contained in Chapter 5, "Revenue Distribution," of the California State Controller's Manual of Accounting and Auditing Guidelines for Trial Courts.											
54		Base fine for first offense per VC 23554 and VC 23556. Per PC 1463.14(b), the county board of supervisors may authorize an additional penalty in the amount equal to the cost of testing, less \$50 deposited with the county treasurer per PC 1463.14(a).											
55		Per VC 23224(e): "Any person convicted for a violation of subdivision (a) or (b) ... shall be punished upon conviction by a fine of not more than \$1,000 or by imprisonment in the county jail for not more than six months, or by both the fine and imprisonment."											
56		Per VC 23247(f): Punishment shall be imprisonment for not more than six months or by a fine of not more than \$5,000 or both.											
57		Per VC 23573(i): "... punished by imprisonment in the county jail for not more than six months or by a fine of not more than \$5,000 or by both that fine and imprisonment."											
58		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction." Per VC 24002.5(b): " ... a fine of not less than \$1,000 and not more than \$5,000 ... . No part of any fine imposed ... may be suspended."											
59		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction." Per VC 24011.3(c)(1): "fine of not more than \$500."											
60		Per VC 40000.15: "Violation ... a misdemeanor and not an infraction."											

**TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (Vehicle Code)

Section	Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **	
			10/10			7	5/10	5	20%	2	40	30	1	
61		Vehicle Code section 27150.1 authorizes citation as a misdemeanor. Penal Code sections 17 and 19.8 allow charging VC 27150.1 as an infraction with a fine of up to \$250.												
62		VC 27317 limits fine amount to \$5,000. Per VC 27317 (c), a violation of subdivision (a) or (b) is a misdemeanor punishable by a fine of up to five thousand dollars (\$5,000) or by imprisonment in a county jail for up to one year, or by both the fine and imprisonment.												
63		Per VC 27362(a)(1): "... fine not exceeding \$400 ... ."												
64		Per VC 31404: "Any person who operates, or any owner or farm labor contractor who knowingly allows the operation of, a farm labor vehicle in violation of subdivision (b) or (d) of Section 31401 or Section 31402 or 31403 is guilty of a misdemeanor. When a person has been convicted of willfully violating those provisions, the person shall, in addition, be fined not less than \$1,000 for each violation, and no part of the fine may be suspended. If passengers are in the vehicle at the time of the violation, the person shall, in addition, be fined \$500 for each passenger, not to exceed a total of \$5,000 for each violation, and no part of this fine may be suspended. As used in this section, the terms 'knowingly' and 'willfully' have the same meaning as prescribed in Section 7 of the Penal Code."												
65		Per VC 31402(b): "... fine of not less than \$1,000 and not more than \$5,000 ... . No part of any fine imposed ... may be suspended."												
66		Per VC 32002(b): "... a violation of this subdivision shall be punished ... by a fine of not less than \$2,000 ... ."												
67		Per VC 40000.19: "Violation ... a misdemeanor and not an infraction."												
68		Per VC 40000.22(a): A violation of "subdivision (b) or (d) of Section 34501.12 ... relating to applications for inspections is a misdemeanor and not an infraction. ... (c)This section shall become operative on January 1, 2016 ... ."												
69		Per VC 40000.21: Violation "... a misdemeanor and not an infraction." Per VC 34501.3(c) : "For a violation of paragraph (2) of subdivision (a), a first offense is punishable by a fine of not more than \$1,000; a second offense by a fine of not more than \$2,500, and a third or subsequent offense by a fine of not more than \$5,000."												
70		Per VC 40000.21: Violation "... a misdemeanor and not an infraction."												
71		Per VC 42001.3(b).												
72		Per VC 40000.22(b): Violation "... a misdemeanor and not an infraction."												
73		Per VC 35784, the penalty for violation is as follows: (e) A violation of equipment requirements contained in Division 12 (commencing with Section 24000), by any person operating a pilot car shall not be considered a violation of any terms or conditions of a special permit under subdivision (a); (f) (1) Any person convicted of a violation of the terms and conditions of a special permit shall be punished by a fine not exceeding \$500 or by imprisonment in the county jail for a period not exceeding six months, or by both that fine and imprisonment. (2) In addition, if the violation involves weight in excess of that authorized by the permit, an additional fine shall be levied as specified in Section 42030 on the amount of weight in excess of the amount authorized by the permit."												
74		Per VC 35784.5(a): "Any person convicted of transporting an extralegal load on a highway, or causing or directing the operation of or driving on a highway any vehicle or combination of vehicles for which a permit is required pursuant to this article, without having obtained a permit issued in accordance with this article, shall be punished by a fine not exceeding \$500 or by imprisonment in the county jail for a period not exceeding six months, or by both that fine and imprisonment. (b) If the violation involves excess weight, an additional fine shall be levied as specified in Section 42030 on the amount of weight in excess of that authorized pursuant to this chapter."												
75		Fine specified by VC 42030. Per VC 40000.23: "Violation ... a misdemeanor and not an infraction."												
76		Per VC 38316(b): "... fine of not less than \$50 ... ."												
77		Fine of: "... not less than \$100 nor more than \$1,000 ... ."												
78		Fine of: "... not more than \$1,000 ... ."												
79		Per VC 4000.24, violation is: "... a misdemeanor and not an infraction ... ."												
80		Fine of "... not more than \$10,000."												
81		Per VC 40000.25: "Violation ... a misdemeanor and not an infraction."												
82		Per VC 40008(a): "... shall be punished by imprisonment in a county jail for not more than six months and by a fine of not more than \$2,500."												
83		Per VC 40008(b): "... shall be punished by imprisonment in a county jail for not more than one year and by a fine of not more than \$5,000."												

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009  
VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(\*See Preface, Sections III and IV.C.2) (\*\*See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
21367	(b,c)	I	Failure to Obey Traffic Control/Devices at Construction Site	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21451	(a,b)	I	"Green" Signal-Vehicular Responsibilities	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21453	(a,c)	I	"Red" Signal-Vehicular Responsibilities	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
21453	(b)	I	"Red" Signal-Vehicular Responsibilities With Right Turn	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21454	(c)	I	Lane Use-Red Control Signals	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
21454	(d)	I	Lane Use-Flashing Yellow Control Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21455		I	Traffic Control Signal at Other Than Intersection	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21457	(a)	I	Actions Required at Flashing Red Signals	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
21457	(b)	I	Actions Required at Flashing Yellow Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21460	(a-c)	I	Improper Turn Over Double Lines Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21460.5	(c)	I	Improper Turn From Two-Way Left-Turn Lane	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21461	(a)	I	Driver Failure to Obey Signs/Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21462	(a)	I	Disobedience of Driver or Streetcar Motorist to Traffic Control Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21464	(a)	I	Unauthorized Interference With Traffic Device Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	0
21464	(b)	I	Unauthorized Use of Traffic Interference Device	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	0
21464	(c)	I	Unauthorized Possession of Traffic Interference Device	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	0

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(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
21464	(e)	I	Willful Interference With Traffic Device or Willful Use, Possession, or Distribution of Traffic Interference Device That Does Not Result in Injury	535	540	378	270	270	107	108	2208	40	35	1	0	2284	4b	0
21466.5		I	Light Impairing Driver's Vision Prohibited	35	40	28	20	20	7	8	158	40	35	1	0	234	1b	0
21650		I	Failure to Keep to Right Side of Road	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21651	(a)	I	Driving Across Dividing Section on Freeway Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21652		I	Improperly Entering Highway From Service Road	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21654	(a)	I	Slow-Moving Vehicles—Keep to Right Edge of Roadway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21655	(b)	I	Failure to Use Designated Lanes	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21655.5	(b)	I	Improper Use of Preferential Lanes	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	0
21655.8	(a)	I	Driving Over Double Lines of Preferential Lanes	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
21656		I	Failure of Slow-Moving Vehicles to Turn Out	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21657		I	Driving Against One-Way Traffic Patterns	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21658	(a,b)	I	Lane Straddling/Failure to Use Specified Lanes	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21659		I	Unsafe Driving on Three-Lane Highway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21660		I	Failure of Approaching Vehicles to Pass to the Right	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21661		I	Right-of-Way Rule—Narrow Grades	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21662	(a,b)	I	Mountains—Keep to Right—Use Horn	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21663		I	Driving on Sidewalk Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1

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(Vehicle Code)

Section	Notes Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
				<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
21664	I	Failure to Use Designated Freeway On-/ Off-ramp Properly	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21700	I	Load/Passengers Not to Obstruct Driver's View	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21703	I	Following Too Closely Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21704 (a)	I	Trucks/Trailers Following Too Closely Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21705	I	Caravans Following Too Closely Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21706	I	Following Emergency Vehicles Too Closely Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21706.5 (b)	I	Operation of Vehicle in Unsafe Manner in an Emergency Incident Zone	105	110	77	55	55	21	22	445	40	35	1	0	521	4b	1
21707	I	Driving Within 300 Feet of Fire Areas Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21708	I	Running Over Unprotected Fire/Chemical Hose Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	0
21709	I	Driving Within Safety Zone Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21710	I	Coasting in Neutral on Downgrade Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	0
21711	I	Whipping or Swerving Towed Vehicle Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21712 (a)	I	Allowing Riding on Portion of Vehicle Not Designed for Passenger Use Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21712 (b)	I	Unlawful Riding on Vehicle Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	0
21712 (c)	I	Driver Permitting Riding in Trunk of Vehicle	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
21712 (d)	I	Riding in Trunk of Vehicle	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	0

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					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
21712	(F)	I	Towing Trailer Coach, Camp Trailer, or Trailer Carrying Vessel That Contains Passenger	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21712	(h)	I	Driving While Towing Person Riding on Motorcycle, Motorized Bicycle, Bicycle, Coaster, Roller Skates, Sled, Skis, or Toy Vehicle	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21714	(a)	I	Use of Three-Wheeled Vehicle in HOV Lane	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21714	(b)	I	Use of Three-Wheeled Vehicle in Lane Adjacent to Striping or Area Between Two or More Vehicles Traveling in Adjacent Traffic Lanes	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21715	(a,b)	I	Exceeding Passenger Vehicle Towing Combination Limits	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21720		I	Unlawful Operation of Pocket Bike	35	40	28	20	20	7	8	158	40	35	1	0	234	2b	0
21750		I	Overtaking and Passing Unsafely	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21751		I	Passing Without Sufficient Clearance	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21752	(a,b,d)	I	Driving Left of Center Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21752	(c)	I	Driving Left of Center—Within 100 Feet or When Traversing Railroad Grade Crossing—Prohibited	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
21753		I	Failure to Yield to Overtaking Vehicle	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21754	(a-e)	I	Improper Passing on Right Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21755		I	Unsafe Passing on Right Shoulder	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21758		I	Unsafe Passing on Grades Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21760	(b)	I	Overtaking or Passing Bicycle Unsafely	70	70	49	35	35	14	14	287	40	35	1	0	363	4b	1

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Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
21760	(b)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Unsafely	255	260	182	130	130	51	52	1060	40	35	1	0	1136	4b	1
21760	(c)	I	Overtaking or Passing Bicycle at Distance of Less Than Three Feet, Move Over Slow Down Exception	70	70	49	35	35	14	14	287	40	35	1	0	363	4b	1
21760	(c)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle at Distance of Less Than Three Feet	255	260	182	130	130	51	52	1060	40	35	1	0	1136	4b	1
21760	(d)	I	Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	70	70	49	35	35	14	14	287	40	35	1	0	363	4b	1
21760	(d)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	255	260	182	130	130	51	52	1060	40	35	1	0	1136	4b	1
21800	(a-c)	I	Violation of Right-of-Way/Uncontrolled Intersection	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21800	(d)(1,2)	I	Violation of Right-of-Way/Controlled Intersection With Inoperative Control Signals	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21801	(a,b)	I	Violation of Right-of-Way-Left Turn	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21802	(a,b)	I	Violation of Right-of-Way-Entering Through Highway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21803	(a,b)	I	Violation of "Yield" Sign	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21804	(a,b)	I	Entering Highway From Alley or Driveway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
21806	(a,b)	I	Failure to Yield to Emergency Vehicle	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
21807		I	Driving Authorized Emergency Vehicle Without Due Regard for Safety of Persons and Property	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009  
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(\*See Preface, Sections III and IV.C.2) (\*\*See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points	
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>				
21809	(a)	I	Failure to Slow Down or Change Lane When Approaching and Passing Stationary Emergency Vehicle or Tow Truck Displaying Specific Lights	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22100	(a,b)	I	Turn at Intersection From Wrong Position	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22100.5		I	U-Turn at Controlled Intersection	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22101	(d)	I	Violating Special Traffic Control Markers	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22102		I	Illegal U-Turn in Business District	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22103		I	Illegal U-Turn in Residential District	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22104		I	Illegal U-Turn Near Fire Station	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22105		I	Illegal U-Turn on Highway Without Unobstructed View	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22106		I	Unsafe Starting or Backing on Highway	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22107		I	Unsafe Turn or Lane Change Prohibited	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22108		I	Signal Required Before Turning or Changing Lanes	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22109		I	Sudden Stopping Without Signaling	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22110	(a,b)	I	Hand/Lamp Signal Not Given	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22348	(b)	I	Speeding Over 100 MPH Prohibited	235	240	168	120	120	47	48	978	40	35	1	0	1054	4b	2	
22348	(c)	I	Failure of Vehicles Subject to VC 22406 to Use Designated Lane	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1	
22349	(a)	I	Exceeding Maximum Speed Limit of 65 MPH						[See Speed Chart]									4b	1
22349	(b)	I	Exceeding Maximum Speed Limit of 55 MPH on a Two-Lane Undivided Highway						[See Speed Chart]									4b	1
22350		I	Unsafe Speed for Prevailing Condition						[See Speed Chart]									4b	1



**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009  
VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(\*See Preface, Sections III and IV.C.2) (\*\*See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
22351	(a,b)	I	Driving in Excess of Prima Facie Speed Limits Established in VC 22352								[See Speed Chart]						4b	1
22352	(a)(1)	I	Operating Vehicle in Excess of 15 MPH at Railroad Crossing								[See Speed Chart]						4b	1
22352	(a)(2)	I	Operating Vehicle in Excess of 15 MPH at Freeway Intersection With No Clear Field of Vision								[See Speed Chart]						4b	1
22352	(a)(3)	I	Operating Vehicle in Excess of 15 MPH on Any Alley								[See Speed Chart]						4b	1
22352	(b)(1)	I	Operation Vehicle in Excess of 25 MPH in Business District								[See Speed Chart]						4b	1
22352	(b)(2)	I	Operating Vehicle in Excess of 25 MPH by School								[See Speed Chart]						4b	1
22352	(b)(3)	I	Operating Vehicle in Excess of 25 MPH by Senior Center								[See Speed Chart]						4b	1
22354		I	Failure to Abide by Speed Limits Set by the State Department of Transportation (DOT) on State Highways								[See Speed Chart]						4b	1
22355		I	Failure to Abide by Variable Speed Limits Set by the State Department of Transportation (DOT)								[See Speed Chart]						4b	1
22357		I	Violation of Prima Facie Local Speed Limit								[See Speed Chart]						4b	1
22358		I	Violation of Local Speed Limit								[See Speed Chart]						4b	1
22358.3		I	Violation of Local Speed Limit on Narrow Street								[See Speed Chart]						4b	1
22358.4		I	Violation of Prima Facie Local Speed Limit								[See Speed Chart]						4b	1
22360		I	Violation of Local Speed Limits Between Business and Residence Districts								[See Speed Chart]						4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009  
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA  
 (\*See Preface, Sections III and IV.C.2) (\*\*See Preface, Section IV)  
 (Vehicle Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
22361		I	Violation of Speed Limit on Multiple Lane Highways														4b	1
22362		I	Violation of Speed Limit Surrounding Special Work Crews														4b	1
22363		I	Violation of DOT or Local Speed Limit Set for Snow or Ice														4b	1
22364		I	Violation of Speed Limit Set by DOT on State Highways														4b	1
22406	(a)	I	Truck or Tractor 1–9 MPH Over 55 MPH Limit	85	90	63	45	45	17	18	363	40	35	1	0	439	4b	1
22406	(a)	I	Truck or Tractor 10 MPH or More Over 55 MPH Limit	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22407		I	Posted Speed for Designated Vehicles–In Excess of Speed Limit by 10 MPH or More	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22409		I	Speed Limit for Solid Tire Vehicle														4b	1
22410		I	Exceeding Speed Limit for Metal Tire Vehicles	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
22413		I	Violation of Speed Limit Set by Local Authority for Steep Grades														4b	1
22450	(a)	I	Failure to Stop at Stop Sign	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	1
22450	(b)	I	Failure to Stop at Stop Sign at Railroad Grade Crossing	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22451	(a,b)	I	Failure to Stop for Train Signals/Closed Gates	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22452	(b)	I	Failure of Certain Vehicles to Stop at Railroad Crossings	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22452	(c)	I	Failure of Commercial Vehicle to Stop at Railroad Crossings	135	140	98	70	70	27	28	568	40	35	1	0	644	4b	1
22454	(a)	I	Passing School Bus With Flashing Signals	185	190	133	95	95	37	38	773	40	35	1	0	849	4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009  
 VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(\*See Preface, Sections III and IV.C.2) (\*\*See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
22455	(a)	I	Vending From Vehicle Without Coming to a Complete Stop or Parking the Vehicle Lawfully	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	0
22456	(e)(1-3)	I	Vending From an Ice Cream Truck Under Prohibited Conditions	70	70	49	35	35	14	14	287	40	35	1	0	363	2b	0
23109	(c)	<sup>1</sup> I	Engaging In/Abetting Exhibition of Speed Prohibited	110	110	77	55	55	22	22	451	40	35	1	0	527	2b	2
23154	(a)	I	Driving With Blood Alcohol Level of .01 or Greater While on Probation for Violation of VC 23152 or VC 23153	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	0
23220	(a)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product While Driving Off-Highway Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	0
23221	(a)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Driver Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	1
23221	(b)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Passenger Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	0
23222	(a)	I	Possession of Open Container While Driving Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	1
23222	(b)	I	Possession of Open Container of Cannabis by Driver	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	1
23223	(a)	<sup>2</sup> I	Possession of Open Container by Driver Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	0
23223	(b)	<sup>2</sup> I	Possession of Open Container by Passenger Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	0
23225	(a)(1)	<sup>2</sup> I	Storage of Open Container Restricted	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	0
23226	(a)	I	Storage by Driver of Open Container in Passenger Compartment Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	0

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009  
VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(\*See Preface, Sections III and IV.C.2) (\*\*See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surchage* /10	EMS PA*	Fine Surchage & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
23226	(b)	I	Storage by Passenger of Open Container in Passenger Compartment Prohibited	105	110	77	55	55	21	22	445	40	35	1	0	521	3b	0
22406.1		M	Maximum Speed for Commercial Vehicles-- In Excess of Speed Limit by 15 MPH or More	600	600	420	300	300	120	120	2460	40	30	1		2531		1.5
23103	(a,b)	M	Reckless Driving	290	290	203	145	145	58	58	1189	40	30	1		1260		2
23104	(a)	M	Reckless Driving--Bodily Injury	700	700	490	350	350	140	140	2870	40	30	1		2941		2
23104	(b)	M	Reckless Driving--Great Bodily Injury	1000	1000	700	500	500	200	200	4100	40	30	1		4171		2
23105	(a)	M	Reckless Driving--Specific Injury	1500	1500	1050	750	750	300	300	6150	40	30	1		6221		2
23109	(a)	M	Engaging in Speed Contests Prohibited	720	720	504	360	360	144	144	2952	40	30	1		3023		2
23109	(b)	M	Abetting Speed Contest Prohibited	200	200	140	100	100	40	40	820	40	30	1		891		1
23109	(c)	M	Engage In/Abet Exhibition of Speed Prohibited	200	200	140	100	100	40	40	820	40	30	1		891		2
23109	(d)	M	Placing Barricades or Obstructions Prohibited	200	200	140	100	100	40	40	820	40	30	1		891		1
23109	(e)(2) <sup>3</sup>	M	Engaging in Speed Contest and Causing Bodily Injury	1000	1000	700	500	500	200	200	4100	40	30	1		4171		2
23109.1		M	Engaging in Speed Contest--Specific Injury	1500	1500	1050	750	750	300	300	6150	40	30	1		6221		2
23152	(a,b)	M	Driving Under Influence of Alcohol	780	780	546	390	390	156	156	3198	40	30	1		3269		2
23152	(c)	M	Driving While Addicted to Drug	780	780	546	390	390	156	156	3198	40	30	1		3269		2
23152	(d)	M	Driving Commercial Vehicle Under Influence of Alcohol	900	900	630	450	450	180	180	3690	40	30	1		3761		3
23152	(e)		Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC.	780	780	546	390	390	156	156	3198	40	30	1		3269		2
23152	(f)	M	Driving Under Influence of Drug	780	780	546	390	390	156	156	3198	40	30	1		3269		2

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42009  
VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**

(\*See Preface, Sections III and IV.C.2) (\*\*See Preface, Section IV)

(Vehicle Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surchage* /10	EMS PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>		<b>1</b>	<b>0</b>			
23152	(F)	M	Driving Under Influence of Alcohol and Drug	780	780	546	390	390	156	156	3198	40	30	1		3269		2
23153	(a,b)	M	Driving Under Influence of Alcohol While Causing Injury	1000	1000	700	500	500	200	200	4100	40	30	1		4171		2
23153	(d)	M	Driving Commercial Vehicle Under Influence of Alcohol While Causing Injury	1000	1000	700	500	500	200	200	4100	40	30	1		4171		3
23153	(e)		Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC and Causing Injury.	1000	1000	700	500	500	200	200	4100	40	30	1		4171		2
23153	(f)	M	Driving Under Influence of Drug While Causing Injury	1,000	1,000	700.00	500	500	200	200	4100	40	30	1		4,171.00		2
23153	(F)	M	Driving Under Influence of Alcohol and Drug While Causing Injury	1,000	1,000	700.00	500	500	200	200	4100	40	30	1		4,171.00		2
23224	(a,b)	M	Possession of Alcohol by Minor Prohibited	200	200	140.00	100	100	40	40	820	40	30	1		891.00		0

**Notes**

<sup>1</sup> Per PC 19.8: VC 23109(c) charged as an infraction is subject to fine "... not to exceed \$250 ... ."

<sup>2</sup> Per VC 40000.20: a third or subsequent violation relating to "a driver of any vehicle used to provide transportation services on a prearranged services, operating under a valid certificate or permit pursuant to the Passenger Charter-party Carriers' Act (Chapter 8 (commencing with Section 5351) of Division 2 of the public Utilities Code), is a misdemeanor.

<sup>3</sup> Per VC 23109(e)(2): "punishable by imprisonment in a county jail for not less than 30 days nor more than six months or by a fine of not less than \$500 nor more than \$1000, or by both the fine and imprisonment."

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*See Preface, Sections III and IV.C.2) (\*\*See Preface, Section IV)  
 (Vehicle Code)

**ENHANCED PENALTY SPEED CHART AMOUNTS PER VEHICLE CODE SECTION 42009**  
**VIOLATIONS COMMITTED IN HIGHWAY CONSTRUCTION OR MAINTENANCE AREA**  
**(FOR ALL SPEED LIMITS)**

<b>MPH Over Limit</b>	<b>Bail</b>	<b>State PA*</b>	<b>County PA*/10</b>	<b>DNA PA*</b>	<b>Court Facility Const. PA*/10</b>	<b>Surcharge*</b>	<b>EMS PA*/10</b>	<b>Fine Surcharge &amp; PA Subtotal</b>	<b>Court OPS</b>	<b>Conv.Assess.</b>	<b>Night Court</b>	<b>TAP Fee</b>	<b>Total Bail **</b>
		<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>	
1–15	\$70	\$70	\$49	\$35	\$35	\$14	\$14	\$287	\$40	\$35	\$1	\$0	\$363
16–25	\$105	\$110	\$77	\$55	\$55	\$21	\$22	\$445	\$40	\$35	\$1	\$0	\$521
26 and over <sup>1</sup>	\$135	\$140	\$98	\$70	\$70	\$27	\$28	\$568	\$40	\$35	\$1	\$0	\$644

<sup>1</sup> Per VC 42000.5: "Every person convicted of an infraction for a violation of Section 22350, 22406, or 22407 while operating a bus, motor truck, or truck tractor having three or more axles, or any motor truck or truck tractor drawing any other vehicle, shall be punished by a fine not exceeding \$100 for a first conviction, except that if a person has exceeded the specified speed limit by 10 miles per hour or more, the fine shall not exceed \$200 for a first conviction and not exceeding \$300 for a second or subsequent conviction."

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	County		Court		Surcharge* /10	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess Night Court	TAP Fee	Total **	Bail	Category	DMV Points
				State PA* /10	DNA PA* /10	PA* /10	PA* /10										
				<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>1</b>	<b>0</b>				
21650	I	Failure to Keep to Right Side of Road	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21651 (a)	I	Driving Across Dividing Section on Freeway Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21652	I	Improperly Entering Highway From Service Road	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21654 (a)	I	Slow-Moving Vehicles Keep to Right Edge of Roadway	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21655 (b)	I	Failure to Use Designated Lanes	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21655.5 (b)	I	Improper Use of Preferential Lanes	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	0
21655.8 (a)	I	Driving Over Double Lines of Preferential Lanes	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1
21656	I	Failure of Slow-Moving Vehicles to Turn Out	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21657	I	Driving Against One-Way Traffic Patterns	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21658 (a,b)	I	Lane Straddling/Failure to Use Specified Lanes	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21659	I	Unsafe Driving on Three-Lane Highway	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21660	I	Failure of Approaching Vehicles to Pass to the Right	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21661	I	Right-of-Way Rule—Narrow Grades	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21662 (a,b)	I	Mountains—Keep to Right—Use Horn	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21663	I	Driving on Sidewalk Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21664	I	Failure to Use Designated Freeway On-/Off-ramp Properly	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21700	I	Load/Passengers Not to Obstruct Driver's View	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21703	I	Following Too Closely Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21704 (a)	I	Trucks/Trailers Following Too Closely Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	County		Court		Surcharge* /10	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess Night Court	TAP Fee	Total **	Bail	Category	DMV Points
				State PA*	PA* /10	DNA PA*	PA* /10										
				<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>1</b>	<b>0</b>				
21705	I	Caravans Following Too Closely Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21706	I	Following Emergency Vehicles Too Closely Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21706.5 (b)	I	Operation of Vehicle in Unsafe Manner in an Emergency Incident Zone	105	70	49	35	35	21	14	329	40	35	1	0	405	2b	1
21707	I	Driving Within 300 Feet of Fire Areas Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21708	I	Running Over Unprotected Fire/Chemical Hose Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	0
21709	I	Driving Within Safety Zone Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21710	I	Coasting in Neutral on Downgrade Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	0
21711	I	Whipping or Swerving Towed Vehicle Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21712 (a)	I	Allowing Riding on Portion of Vehicle Not Designed for Passenger Use Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21712 (c)	I	Driver Permitting Riding in Trunk of Vehicle	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1
21712 (d)	I	Riding in Trunk of Vehicle	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	0
21712 (F)	I	Towing Trailer Coach, Camp Trailer, or Trailer Carrying Vessel That Contains Passenger	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21712 (h)	I	Driving While Towing Person Riding on Motorcycle, Motorized Bicycle, Bicycle, Coaster, Roller Skates, Sled, Skis, or Toy Vehicle	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21714 (a)	I	Use of Three-Wheeled Vehicle in HOV Lane	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1



**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	County		Court		Surcharge* /10	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess Night Court	TAP Fee	Total **	Bail	Category	DMV Points
				State PA*	PA* /10	DNA PA*	PA* /10										
21714 (b)	I	Use of Three-Wheeled Vehicle in Lane Adjacent to Striping or Area Between Two or More Vehicles Traveling in Adjacent Traffic Lanes	70	40	28	20	20	20%	8	200	40	35	1	0	276	2b	1
21715 (a,b)	I	Exceeding Passenger Vehicle Towing Combination Limits	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21716	I	Golf Cart Operation Restricted	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	0
21717	I	Turning Across Bicycle Lane	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21720	I	Unlawful Operation of Pocket Bike	35	30	21	0	15	7	0	108	40	35	1	0	184	1b	0
21750	I	Overtaking and Passing Unsafely	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21751	I	Passing Without Sufficient Clearance	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21752 (a,b,d)	I	Driving Left of Center Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21752 (c)	I	Driving Left of Center—Within 100 Feet or When Traversing Railroad Grade Crossing—Prohibited	135	100	70	50	50	27	20	452	40	35	1	0	528	4a	1
21753	I	Failure to Yield to Overtaking Vehicle	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21754	I	Improper Passing on Right Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21755	I	Unsafe Passing on Right Shoulder	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21758	I	Unsafe Passing on Grades Prohibited	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
21760 (b)	I	Overtaking or Passing Bicycle Unsafely	70	40	28	20	20	14	8	200	40	35	1	0	276	4b	1
21760 (b)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Unsafely	255	220	154	110	110	51	44	944	40	35	1	0	1020	4b	1
21760 (c)	I	Overtaking or Passing Bicycle at Distance of Less Than Three Feet, Move Over Slow Down Exception	70	40	28	20	20	14	8	200	40	35	1	0	276	4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	County		Court		Surcharge* /10	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess Night Court	TAP Fee	Total Bail **	Category	DMV Points
				State PA* /10	DNA PA* /10	PA* /10	PA* /10									
				<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>		
21760 (c)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle at Distance of Less Than Three Feet	255	220	154	110	110	51	44	944	40	35	1	0	1020	4b 1
21760 (d)	I	Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	70	40	28	20	20	14	8	200	40	35	1	0	276	4b 1
21760 (d)	I	Causing Bodily Injury to a Bicycle Operator From Collision While Overtaking or Passing Bicycle Without Slowing to Reasonable Speed	255	220	154	110	110	51	44	944	40	35	1	0	1020	4b 1
22348 (b)	I	Speeding Over 100 MPH Prohibited	235	200	140	100	100	47	40	862	40	35	1	0	938	4b 2
22348 (c)	I	Failure of Vehicles Subject to VC 22406 to Use Designated Lane	70	40	28	20	20	14	8	200	40	35	1	0	276	2b 1
22349 (a)	I	Exceeding Maximum Speed Limit of 65 MPH														4b 1
22349 (b)	I	Exceeding Maximum Speed Limit of 55 MPH on a Two-Lane Undivided Highway														4b 1
22350	I	Unsafe Speed for Prevailing Conditions														4b 1
22351 (a,b)	I	Driving in Excess of Prima Facie Speed Limits Established in VC 22352														4b 1
22352 (a)(1)	I	Operating Vehicle in Excess of 15 MPH at Railroad Crossing														4b 1
22352 (a)(2)	I	Operating Vehicle in Excess of 15 MPH at Freeway Intersection With No Clear Field of Vision														4b 1
22352 (a)(3)	I	Operating Vehicle in Excess of 15 MPH on Any Alley														4b 1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	State PA*	County PA* /10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess Night Court	TAP Fee	Total Bail **	Category	DMV Points
			<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>1</b>	<b>0</b>			
22352	(b)(1)	I Operation Vehicle in Excess of 25 MPH in Business District						[See Speed Chart]							4b	1
22352	(b)(2)	I Operating Vehicle in Excess of 25 MPH by School						[See Speed Chart]							4b	1
22352	(b)(3)	I Operating Vehicle in Excess of 25 MPH by Senior Center						[See Speed Chart]							4b	1
22354		I Failure to Abide by Speed Limits Set by the State Department of Transportation (DOT) on State Highways						[See Speed Chart]							4b	1
22355		I Failure to Abide by Variable Speed Limits Set by the State Department of Transportation (DOT)						[See Speed Chart]							4b	1
22356	(b)	I Exceeding Maximum Speed Limit of 70 MPH Where Posted						[See Speed Chart]							4b	1
22357		I Violation of Prima Facie Local Speed Limit						[See Speed Chart]							4b	1
22358		I Violation of Local Speed Limit						[See Speed Chart]							4b	1
22358.3		I Violation of Local Speed Limit on Narrow Street						[See Speed Chart]							4b	1
22358.4		I Violation of Prima Facie Local Speed Limit						[See Speed Chart]							4b	1
22360		I Violation of Local Speed Limits Between Business and Residence Districts						[See Speed Chart]							4b	1
22361		I Violation of Speed Limit on Multiple Lane Highways						[See Speed Chart]							4b	1
22362		I Violation of Speed Limit Surrounding Special Work Crews						[See Speed Chart]							4b	1
22363		I Violation of DOT or Local Speed Limit Set for Snow or Ice						[See Speed Chart]							4b	1

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	County		Court		Surcharge* /10	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess Night Court	TAP Fee	Total Bail **	Category	DMV Points	
				State PA* /10	DNA PA* /10	PA* /10	PA* /10										
				<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>1</b>	<b>0</b>				
22364	I	Violation of Speed Limit Set by DOT on State Highways													4b	1	
22400 (a,b)	I	Minimum Speed Law—Impeding Traffic Flow	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
22405 (a)	I	Exceeding Maximum Posted Speeds on Bridge or in Tube or Tunnel													4b	1	
22406 (a)	I	Truck or Tractor 1–9 MPH Over 55 MPH Limit	85	50	35	25	25	17	10	247	40	35	1	0	323	4b	1
22406 (a)	I	Truck or Tractor 10 MPH or More Over 55 MPH Limit	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1
22406 (b-f)	I	Maximum Speed for Designated Vehicles	85	50	35	25	25	17	10	247	40	35	1	0	323	4b	1
22406 (b-f)	I	Maximum Speed for Designated Vehicles—In Excess of Speed Limit by 10 MPH or More	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1
22406.5	I	Driving Tank Vehicle at Excessive Speed	535	500	350	250	250	107	100	2092	40	35	1	0	2168	4b	1
22407	I	Posted Speed for Designated Vehicles	85	50	35	25	25	17	10	247	40	35	1	0	323	4b	1
22407	I	Posted Speed for Designated Vehicles—In Excess of Speed Limit by 10 MPH or More	135	100	70	50	50	27	20	452	40	35	1	0	528	4b	1
22409	I	Speed Limit for Solid Tire Vehicle													4b	1	
22410	I	Exceeding Speed Limit for Metal Tire Vehicle	70	40	28	20	20	14	8	200	40	35	1	0	276	2b	1
22413	I	Violation of Speed Limit Set by Local Authority for Steep Grades													4b	1	
23109 (c)	I	Engage in/Abet Exhibition of Speed Prohibited	110	80	56	40	40	22	16	364	40	35	1	0	440	2b	2
23154 (a)	I	Driving With Blood Alcohol Level of .01 or Greater While on Probation for Violation of VC 23152 or VC 23153	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	County			Surcharge*	Fine		Court OPS	Conv.Assess	Night Court	TAP Fee	Total **	Bail	Category	DMV Points
				State PA*	PA* /10	DNA PA*		Court PA*	EMS PA*								
				<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>				
23220 (a)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product While Driving Off-Highway Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23221 (a)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Driver Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	1
23221 (b)	I	Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana Product by Passenger Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23222 (a)	I	Possession of Open Container While Driving Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	1
23222 (b)	I	Possession of Open Container of Cannabis by Driver	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	1
23223 (a)	<sup>1</sup> I	Possession of Open Container by Driver Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23223 (b)	I	Possession of Open Container by Passenger Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23225 (a)(1)	<sup>1</sup> I	Storage of Open Container While Driving Restricted	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23226 (a)	I	Storage by Driver of Open Container in Passenger Compartment Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
23226 (b)	I	Storage by Passenger of Open Container in Passenger Compartment Prohibited	105	70	49	35	35	21	14	329	40	35	1	0	405	3b	0
22406.1	M	Maximum Speed for Commercial Vehicles—In Excess of Speed Limit by 15 MPH or More	600	300	210	150	150	120	60	1590	40	30	1		1661		2
23103 (a,b)	M	Reckless Driving	290	150	105	75	75	58	30	783	40	30	1		854		2
23104 (a)	M	Reckless Driving—Bodily Injury	700	350	245	175	175	140	70	1855	40	30	1		1926		2
23104 (b)	M	Reckless Driving—Great Bodily Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		2

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	County			Court PA* /10	Surcharge* /10	EMS PA* /10	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess Night Court	TAP Fee	Total Bail **	Category	DMV Points
				State PA*	PA*	DNA PA*										
				<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>30</b>	<b>1</b>	<b>0</b>		
23105 (a)	M	Reckless Driving—Specific Injury	1500	750	525	375	375	300	150	3975	40	30	1		4046	2
23109 (a)	M	Engaging in Speed Contests Prohibited	720	360	252	180	180	144	72	1908	40	30	1		1979	2
23109 (b)	M	Abetting Speed Contest Prohibited	200	100	70	50	50	40	20	530	40	30	1		601	1
23109 (c)	M	Engage In/Abet Exhibition of Speed Prohibited	200	100	70	50	50	40	20	530	40	30	1		601	2
23109 (d)	M	Placing Barricades or Obstructions Prohibited	200	100	70	50	50	40	20	530	40	30	1		601	1
23109 (e)	M	Engaging in Speed Contest and Causing Bodily Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721	1
23109.1	M	Engaging in Speed Contest—Specific Injury	1500	750	525	375	375	300	150	3975	40	30	1		4046	2
23152 (a,b)	M	Driving Under Influence of Alcohol	780	390	273	195	195	156	78	2067	40	30	1		2138	2
23152 (c)	M	Driving While Addicted to Drug	780	390	273	195	195	156	78	2067	40	30	1		2138	2
23152 (d)	M	Driving Commercial Vehicle Under Influence of Alcohol	900	450	315	225	225	180	90	2385	40	30	1		2456	3
23152 (e)	M	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC.	780	390	273	195	195	156	78	2067	40	30	1		2138	2
23152 (f)	M	Driving Under Influence of Drug	780	390	273	195	195	156	78	2067	40	30	1		2138	2
23152 (F)	M	Driving Under Influence of Alcohol and Drug	780	390	273	195	195	156	78	2067	40	30	1		2138	2
23153 (a,b)	M	Driving Under Influence of Alcohol While Causing Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721	2
23153 (d)	M	Driving Commercial Vehicle Under Influence of Alcohol While Causing Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721	3

**APPENDIX OF ENHANCED PENALTY AMOUNTS PER VEHICLE CODE SECTION 42010  
VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT—DOUBLE FINE ZONES**

(\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)

Vehicle Code Section	Notes Level	Offense	Base Fine	County		Court		Surcharge* Surcharge	EMS PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv.Assess	Night Court	TAP Fee	Total Bail **	Category	DMV Points
				State PA*	PA* /10	DNA PA*	PA* /10										
23153 (e)	M	Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC and Causing Injury.	1000	500	350	250	250	200	100	2650	40	30	1	0	2721		2
23153 (f)	M	Driving Under Influence of Drug While Causing Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		2
23153 (F)	M	Driving Under Influence of Alcohol and Drug While Causing Injury	1000	500	350	250	250	200	100	2650	40	30	1		2721		2
23224 (a,b)	M	Possession of Alcohol by Minor Prohibited	200	100	70	50	50	40	20	530	40	30	1		601		0

<sup>1</sup> Per VC 40000.20: a third or subsequent violation relating to "a driver of any vehicle used to provide transportation services on a prearranged services, operating under a valid certificate or permit pursuant to the Passenger Charter-party Carriers' Act (Chapter 8 (commencing with Section 5351) of Division 2 of the public Utilities Code), is a misdemeanor.

**TRAFFIC INFRACTION FIXED PENALTY SCHEDULE**  
 (\*See Preface, Sections III and IV.C.3) (\*\*See Preface, Section IV)  
 (Vehicle Code sections)

**ENHANCED PENALTY SPEED CHART AMOUNTS PER VEHICLE CODE SECTION 42010 <sup>1</sup>**  
**VIOLATIONS COMMITTED IN SAFETY ENHANCEMENT-DOUBLE FINE ZONES**  
**(FOR ALL SPEED LIMITS)**

MPH Over Limit	Bail	State PA*	County PA*/10	DNA PA*	Court Facility Const. PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **
		<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>35</b>	<b>1</b>	<b>0</b>	
1-15	70	40	28	20	20	14	8	200	40	35	1	0	276
16-25	105	70	49	35	35	21	14	329	40	35	1	0	405
26 and over <sup>2</sup>	135	100	70	50	50	27	20	452	40	35	1	0	528

<sup>1</sup> Per VC 42010(d)(2), any additional penalty, forfeiture, or assessment imposed by any other statute shall be based on the amount of the base fine before enhancement or doubling and shall not be based on the amount of the enhanced fine imposed per VC 42010.

<sup>2</sup> Per VC 42000.5: "... if a person has exceeded the specified speed limit by 10 miles per hour or more, the fine shall not exceed \$200 for a first conviction ... ."



**BOATING BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **	
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	<b>1</b>	
<b>(Harbors and Navigation Code)</b>																
131	1	1	M	Obstructing Navigable Waters	250	250	175	125	125	50	50	1025	40	30	1095	
133	2	2	M	Discharging Oil	250	250	175	125	125	50	50	1025	40	30	1095	
300	3	3	M	Willful Damage to or Setting Adrift a Vessel Under 10 Tons	250	250	175	125	125	50	50	1025	40	30	1095	
301	3	3	M	Willful Damage to or Setting Adrift a Vessel of 10 Tons or More	500	500	350	250	250	100	100	2050	40	30	2120	
303	3	3	M	Damage to or Setting Adrift Log/Lumber Raft	250	250	175	125	125	50	50	1025	40	30	1095	
307	(a)	4	I	Mooring to or Hanging on With a Vessel to Buoy or Beacon	50	50	35	25	25	10	10	205	40	35	280	
307	(b)	3	M	Removing, Damaging, or Destroying Buoy or Beacon	250	250	175	125	125	50	50	1025	40	30	1095	
308		3	M	Mooring to or Damaging Federal Buoy or Beacon	500	500	350	250	250	100	100	2050	40	30	2120	
505.5	(b-c)	5	M	Obtaining Possession of Vessel by Fraud, Trick, or Device	250	250	175	125	125	50	50	1025	40	30	1095	
525	(a)	6	I	Abandonment of Vessel	1000	1000	700	500	500	200	200	4100	40	35	4175	
571		7	M	Unlawful Taking or Possession of Wrecked Property	250	250	175	125	125	50	50	1025	40	30	1095	
652	(c)	8	I	Vessel Does Not Meet Standards	50	50	35	25	25	10	10	205	40	35	280	
652	(d)	9	M	Failure to Obey Termination Order	250	250	175	125	125	50	50	1025	40	30	1095	
652.5	(c)	10	I	Blue Light–Unauthorized Use	50	50	35	25	25	10	10	205	40	35	280	
652.5	(d)	10	I	Failure to Yield to Blue Light or Siren	50	50	35	25	25	10	10	205	40	35	280	
652.5	(e)	10	I	Failure of Cable Ferry Operator to Provide Clear Course for Law Enforcement	50	50	35	25	25	10	10	205	40	35	280	
654	(b)	8	I	Improper Mufflers/Use of Cutouts	50	50	35	25	25	10	10	205	40	35	280	
654.05	(a)(1- 3)	8	I	Motorized Vessel–Noise Level	50	50	35	25	25	10	10	205	40	35	280	
654.06		8	I	Motorized Vessel for Sale–Noise Level	50	50	35	25	25	10	10	205	40	35	280	
655	(a)	11	I	Reckless or Negligent Operation by Riding on Bow, Gunwale, or Transom of Vessel Propelled by Machinery	50	50	35	25	25	10	10	205	40	35	280	

**BOATING BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*Preface, Section IV)**

Section		Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* Surchage*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **	
							<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	<b>1</b>	
655	(a)	9	9	M	Reckless or Negligent Operation	300	300	210	150	150	60	60	1230	40	30	1300	
655	(b)	12	12	M	Reckless or Negligent Operation—Under Influence of Liquor or Drugs	650	650	455	325	325	130	130	2665	40	30	2735	
655	(c)	12	12	M	Operation of Recreation Vessel or Manipulation of Skis/Aquaplane If Blood Alcohol .08 or More	500	500	350	250	250	100	100	2050	40	30	2120	
655	(d)	12	12	M	Operation of Vessel Other Than Recreational Vessel If Blood Alcohol .04 or More	300	300	210	150	150	60	60	1230	40	30	1300	
655	(e)	12	12	M	Operation of Vessel/Manipulation of Water Skis/Aquaplane and Addicted to Drug	300	300	210	150	150	60	60	1230	40	30	1300	
655	(f)	13	13	M	Operation of Vessel/Manipulation of Water Skis/Aquaplane While Under Influence of Alcohol or Any Drug	250	250	175	125	125	50	50	1025	40	30	1095	
655.05		9	9	M	Violation of 24-hour Nonoperation of Vessel Order	250	250	175	125	125	50	50	1025	40	30	1095	
655.2	(a)	14	14	I	Power Boats—Speed Restrictions	50	50	35	25	25	10	10	205	40	35	280	
655.3		15	15	I	Equipment on Vessels	50	50	35	25	25	10	10	205	40	35	280	
655.3		15	15	M	Use of Vessels	75	80	56	40	40	15	16	322	40	30	392	
655.4		16	16	M	Crew Member Under Influence of Liquor/Drugs Causes Death/Serious Injury	400	400	280	200	200	80	80	1640	40	30	1710	
655.7	(a-d)	8	8	I	Operation of Personal Watercraft	50	50	35	25	25	10	10	205	40	35	280	
655.7	(e)(1)			I	Operating a Vessel if Engine Cutoff Switch Missing or Inoperable	50	50	35	25	25	10	10	205	40	35	280	
656	(a)	9	9	M	Hit and Run/Assist at Collision	300	300	210	150	150	60	60	1230	40	30	1300	
656	(d)	9	9	M	Accident or Collision Report Required	200	200	140	100	100	40	40	820	40	30	890	
656.1		9	9	M	Operator of Vessel Involved in Accident Resulting in Property Damage	250	250	175	125	125	50	50	1025	40	30	1095	
656.2		18	17	M	Operator of Vessel Involved in Accident Resulting in Personal Injury	1000	1000	700	500	500	200	200	4100	40	30	4170	
656.3		18	17	M	Operator of Vessel Involved in Accident Resulting in Death or Disappearance	2000	2000	1400	1000	1000	400	400	8200	40	30	8270	

**BOATING BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **
658	(a)	19	18 I	Operation of Vessels Towing Persons on Water Skis or Aquaplanes–Requirement for Person 12 Years of Age or Older to Be Aboard in Addition to Driver	80	80	56	40	40	16	16	328	40	30	398
658	(b)	19	18 I	Prohibited Hours	80	80	56	40	40	16	16	328	40	30	398
658	(d)	9	9 M	Cause Collision	400	400	280	200	200	80	80	1640	40	30	1710
658	(e)	9	9 M	Dangerous Operation	400	400	280	200	200	80	80	1640	40	30	1710
658.3	(a-d)	8	8 I	Personal Flotation Device Requirements	50	50	35	25	25	10	10	205	40	35	280
658.5	(a)	20	19 I	Person Under 16 Years of Age Operating a Motor Vessel as Prohibited	50	50	35	25	25	10	10	205	40	35	280
658.5	(b)	20	19 I	Person Under 16 Years of Age Operating a Vessel as Prohibited	50	50	35	25	25	10	10	205	40	35	280
658.5	(d)	20	19 I	Permitting Person Under 16 Years of Age to Operate a Vessel as Prohibited	50	50	35	25	25	10	10	205	40	35	280
658.7	(a)		I	Ski Flag Requirement	15	20	14	10	10	3	4	76	40	35	151
659		8	8 I	Unlawful Marking of Waters	50	50	35	25	25	10	10	205	40	35	280
660	(b)	9	9 M	Violation of Special Rules and Regulations	250	250	175	125	125	50	50	1025	40	30	1095
660	(c)(1)	9	9 M	Violation of Local Emergency Rules and Regulations	250	250	175	125	125	50	50	1025	40	30	1095
663.6		9	9 M	Vessel to Stop on Lawful Order	300	300	210	150	150	60	60	1230	40	30	1300
665		9	9 M	Violation of Promise to Appear	100	100	70	50	50	20	20	410	40	30	480
673		8	8 I	Boat Livery Recordkeeping	50	50	35	25	25	10	10	205	40	35	280
674		8	8 I	Livery Boat Equipment Requirements	50	50	35	25	25	10	10	205	40	35	280
678.11	A	21	20 I	Operation of Vessel on Water Without Certification Card (First Offense)	35	40	28	20	20	7	8	158	40	35	233
678.11	B	21	20 I	Operation of Vessel on Water Without Certification Card (First Offense)	25	0	0	0	0	0	0	25	0	0	25
678.15	(b)(2)	21	20 I	Operation of Vessel on Water Without Certification Card (Second Offense)	50	50	35	25	25	10	10	205	40	35	280
678.15	(b)(3)	21	20 I	Operation of Vessel on Water Without Certification Card (Three or More Offenses)	100	100	70	50	50	20	20	410	40	35	485

**BOATING BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **	
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	<b>1</b>	
681	(a)	22	21 I	Operation or Idling of Motorized Vessel While Person Is Teak Surfing, Platform Dragging, or Bodysurfing Behind the Vessel	50	50	35	25	25	10	10	205	40	35	280	
681	(b)	22	21 I	Operation or Idling of Motorized Vessel While Person Is on or Holding Onto Swim Platform, Swim Deck, Swim Step, or Swim Ladder of the Vessel	50	50	35	25	25	10	10	205	40	35	280	
754		8	8 I	Record of Stored Vessels	50	50	35	25	25	10	10	205	40	35	280	
759.14			M	For-Hire Vessel Company Failure to Procure Insurance	100	100	70	50	50	20	20	410	40	30	480	
761			M	License Required-For-Hire Vessel	100	100	70	50	50	20	20	410	40	30	480	
780	(a)	23	22 M	Illegal Discharge of Sewage	300	300	210	150	150	60	60	1230	40	30	1300	
780	(b)(1-2)	24	23 I	Illegal Discharge of Sewage in No-discharge Area	150	150	105	75	75	30	30	615	40	35	690	
780	(b)(1-2)	25	24 M	Illegal Discharge of Sewage in No-discharge Area	300	300	210	150	150	60	60	1230	40	30	1300	
<b>(California Code of Regulations, Title 13)</b>																
190.00	(a,b)	A	I	Number Display	25	30	21	15	15	5	6	117	40	35	192	
190.00	(a)	B	I	Number Display	25	0	0	0	0	0	0	25	0	0	0	25
190.01		A	I	Registration Stickers	25	30	21	15	15	5	6	117	40	35	192	
190.01		B	I	Registration Stickers	25	0	0	0	0	0	0	25	0	0	0	25
190.08	(c)		I	Dealer Number Display	25	30	21	15	15	5	6	117	40	35	192	
190.15			I	Hull Identification Numbers	25	30	21	15	15	5	6	117	40	35	192	
<b>(California Code of Regulations, Title 14)</b>																
6555-6575			I	Equipment Requirements	35	40	28	20	20	7	8	158	40	35	233	
6576			I	Use of Liquefied Petroleum Gas	35	40	28	20	20	7	8	158	40	35	233	
6600.1		26	25 I	Pilot Rules/Rules of the Road	50	50	35	25	25	10	10	205	40	35	280	
6692			I	Visual Distress Signals Required	35	40	28	20	20	7	8	158	40	35	233	
6695		27	26 I	Blinding Lights	50	50	35	25	25	10	10	205	40	35	280	
7003			I	Unlawful Placement of Diver Precaution Markers	50	50	35	25	25	10	10	205	40	35	280	

**BOATING BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **	
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	<b>1</b>	
7008	(c)		I	Diver Markers–Precaution	50	50	35	25	25	10	10	205	40	35		280
7008	(d)		I	Diver Markers–Improper Display	25	30	21	15	15	5	6	117	40	35		192
7009	(c)		I	Ski Flag–Precaution	50	50	35	25	25	10	10	205	40	35		280
7009	(d)		I	Ski Flag–Improper Display	25	30	21	15	15	5	6	117	40	35		192
7504	(a)		M	For-Hire Operator's License Terms and Conditions of Use	100	100	70	50	50	20	20	410	40	30		480
7504	(b)		M	For-Hire Operator's License Terms and Conditions of Use–Change of Address	35	40	28	20	20	7	8	158	40	30		228
7504	(c)		M	For-Hire Operator's License Terms and Conditions of Use–Possession	35	40	28	20	20	7	8	158	40	30		228
<b>(Vehicle Code)</b>																
9850	A	28	27	I	Numbering of Undocumented Vessel	25	30	21	15	15	5	117	40	35	1	193
9850	B	28	27	I	Numbering of Undocumented Vessel	25	0	0	0	0	0	25	0	0	0	25
9853	(a)			I	Application for/Display of Number	25	30	21	15	15	5	117	40	35	1	193
9853	(c)(3)	A		I	Operating a Recreational Vessel in Nonmarine Waters Without a Valid State-Issued Quagga and Zebra Mussel Infestation Prevention Sticker	25	30	21	15	15	5	117	40	35	1	193
9853	(c)(3)	B		I	Operating a Recreational Vessel in Nonmarine Waters Without a Valid State-Issued Quagga and Zebra Mussel Infestation Prevention Sticker	25	0	0	0	0	0	25	0	0	0	25
9853.2	A	28	27	I	Number Display/Certificate of Number	25	30	21	15	15	5	117	40	35	1	193
9853.2	B	28	27	I	Number Display/Certificate of Number	25	0	0	0	0	0	25	0	0	0	25
9853.3		28	27	I	Retention of Certificate	25	30	21	15	15	5	117	40	35	1	193
9853.4	(b)			I	Display of Registration Other than Vessel for which it Was Issued	25	30	21	15	15	5	117	40	35	1	193
9853.8		29	28	I	Illegal Operation of Vessel Without Required Numbering or in Noncompliance With Emission Standards	250	250	175	125	125	50	1025	40	35	1	1101
9855		28	27	I	Change of Ownership	25	30	21	15	15	5	117	40	35	1	193

**BOATING BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **	
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	<b>1</b>	
9864	28	27	I	Wrecking/Junking/Destruction/Abandonment of Undocumented Vessel	25	30	21	15	15	5	6	117	40	35	1	193
9865	28	27	I	Change of Address	25	30	21	15	15	5	6	117	40	35	1	193
9866	28	27	I	Display of Other Numbers	25	30	21	15	15	5	6	117	40	35	1	193
9871	28	27	I	Hull Identification Number	25	30	21	15	15	5	6	117	40	35	1	193
9872			M	Defacing, Destroying, or Altering Hull Identification Number	80	80	56	40	40	16	16	328	40	30	1	399

**Notes**

<sup>A</sup> Violation cited on a notice to appear as not eligible for correction. (VC 40303.5, VC 40522, and VC 40610.) A citing officer may issue a noncorrectable notice to appear for an equipment, driver's license, or registration offense that is potentially eligible for correction if the officer determines that the violation presents an immediate safety hazard, there is evidence of fraud or persistent neglect, or the violator does not agree to, or cannot, promptly correct the violation.

<sup>B</sup> Violation cited on a notice to appear as eligible for correction. (VC 40303.5, VC 40522, and VC 40610.) A potentially eligible equipment, driver's license, or registration offense may be cited as correctable on a notice to appear unless the citing officer determines that the violation presents an immediate safety hazard, there is evidence of fraud or persistent neglect, or the violator does not agree to, or cannot, promptly correct the violation.

<sup>1</sup> Per H&N 131(b): Fine: "... not to exceed \$1,000 ... ."

<sup>2</sup> Per H&N 133(c): Fine: "... not to exceed \$1,000 ... ."

<sup>3</sup> Per H&N 309: Fine: "... not to exceed \$1,000 ... ."

<sup>4</sup> Per H&N 307(a): Fine "... not more than \$100."

<sup>5</sup> Per H&N 505.5(d): Fine: "... not to exceed \$1,000 ... ."

<sup>6</sup> Per H&N 525(c): Fine: "... not less than \$1,000 nor more than \$3,000."

<sup>7</sup> Per H&N 571(b): Fine: "... not to exceed \$1,000 ... ."

<sup>8</sup> Per H&N 668(a): Fine "... not more than \$250."

<sup>9</sup> Per H&N 668(b)(3)(A): Fine "... not more than \$1,000."

<sup>10</sup> Per H&N 668(b)(4): Fine "... not more than \$100."

<sup>11</sup> Per H&N 668(b)(3)(B): Fine "... not more than \$250."

**BOATING BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Night Court	Total Bail **	
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	<b>1</b>	
				<sup>12</sup> Per H&N 668(e) or 668(f): Fine "... not more than \$1,000."												
				<sup>13</sup> Per H&N 668(g) or 668(h): Fine "... not less than \$250 or more than \$5,000."												
				<sup>14</sup> Per H&N 668(b)(5): Fine "... not more than \$100."												
				<sup>15</sup> Per H&N 668(b)(1)(A): Fine "... not more than \$100."												
				<sup>16</sup> Per H&N 668(e): Fine "... not more than \$1,000."												
				<sup>17</sup> Per H&N 668(c)(1): Fine "... not less than \$1,000 or more than \$10,000 ... ." Per H&N 668(c)(2): "In imposing the minimum fine ... the court shall take into consideration the defendant's ability to pay the fine and, in the interests of justice for reasons stated in the record, may reduce the amount of that minimum fine to less than the amount otherwise required by this subdivision."												
				<sup>18</sup> Per H&N 668(b)(2): Fine "... not more than \$200."												
				<sup>19</sup> Per H&N 668(d): Fine "... not more than \$100."												
				<sup>20</sup> Added in 2014 by SB 941, requires boaters to carry certification cards. Fines for 1st (not more than \$100), 2nd (not more than \$250), and 3rd+ (not more than \$500) offenses set by Har &Nav 678.15.												
				<sup>21</sup> Per H&N 681(g): Fine of "... up to \$100."												
				<sup>22</sup> Per H&N 780(c): Fine: "... not to exceed \$1,000 ... ."												
				<sup>23</sup> Per H&N 780(b): "The first violation of this subdivision is an infraction punishable by a fine of up to \$500."												
				<sup>24</sup> Per H&N 780(b): "A second or subsequent violation of this subdivision by any one person is a misdemeanor." Per H&N 780(c): Fine: "... not to exceed \$1,000 ... ."												
				<sup>25</sup> Per H&N 668(b)(1)(C): Fine "... not more than \$100."												
				<sup>26</sup> Per H&N 668(b)(1)(B): Fine "... not more than \$100."												
				<sup>27</sup> Per VC 9875, VC 42001(a): Fine "... not exceeding \$100."												
				<sup>28</sup> Per VC 9853.8(b): "fine of \$250."												

**FORESTRY BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**  
**(Public Resources Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4154		M	Failure to Obey Summons to Suppress Forest Fire	150	150	105	75	75	30	30	615	40	30	685
4165	(a-e)	M	Unlawful Conduct at Forest Fire	150	150	105	75	75	30	30	615	40	30	685
4255	(a)	M	Smoking or Building Fires in Hazardous Fire Area	100	100	70	50	50	20	20	410	40	30	480
4291	(a)	I	Clearance, etc., Required Around Structure	100	100	70	50	50	20	20	410	40	35	485
4292		M	Clearance Required–Power Pole	100	100	70	50	50	20	20	410	40	30	480
4293	(a-c)	M	Clearance Required–Power Line	100	100	70	50	50	20	20	410	40	30	480
4297	<sup>1</sup>	M	Violation of Proclamation Closing Area to Hunting and Fishing	200	200	140	100	100	40	40	820	40	30	890
4331		M	Permit and Tools Required for Smoking and Building Campfires on National Forest Lands	100	100	70	50	50	20	20	410	40	30	480
4373 /4374	<sup>2</sup>	M	Clearance Required–Solid Waste Facility	100	100	70	50	50	20	20	410	40	30	480
4421		M	Burning Lands of Another	100	100	70	50	50	20	20	410	40	30	480
4422	(a,b)	M	Allowing Fire to Escape	150	150	105	75	75	30	30	615	40	30	685
4423		M	Permit Required for Burning	100	100	70	50	50	20	20	410	40	30	480
4423.2	(b)	M	Violation of Terms of Restricted Temporary Burning Permit	250	250	175	125	125	50	50	1025	40	30	1095
4423.5		M	Restricted Use of Fire	100	100	70	50	50	20	20	410	40	30	480
4426		M	Setting Backfire Without Supervision	150	150	105	75	75	30	30	615	40	30	685
4427	(a,b)	M	Clearance and Tool Requirements	100	100	70	50	50	20	20	410	40	30	480
4428	(a-c)	M	Tool Box and Seal Requirements for Industrial Operations	100	100	70	50	50	20	20	410	40	30	480
4429		M	Tools for Industrial and Agricultural Camps	100	100	70	50	50	20	20	410	40	30	480
4430		M	Force Pump/Water Requirement for Steam-Operated Equipment, etc.	100	100	70	50	50	20	20	410	40	30	480



**FORESTRY BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**  
**(Public Resources Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4431		M	Tool Requirement–Portable Gasoline-Powered Tools	100	100	70	50	50	20	20	410	40	30	480
4432		M	Neglecting a Campfire	100	100	70	50	50	20	20	410	40	30	480
4433		M	Permit Required for Campfire	100	100	70	50	50	20	20	410	40	30	480
4435		M	Causing Fire With Equipment	150	150	105	75	75	30	30	615	40	30	685
4436		M	Refusing to Fight Forest Fire	100	100	70	50	50	20	20	410	40	30	480
4437		M	Flammable Mill Waste–Disposal Required	100	100	70	50	50	20	20	410	40	30	480
4438		M	Burning Mill Waste in Enclosed Device, Permit/Clearance Required	100	100	70	50	50	20	20	410	40	30	480
4439		M	Mill Waste–Open Burning Permit and Clearance Required	100	100	70	50	50	20	20	410	40	30	480
4440	(a,b)	M	Flammable Forest Product Residue Accumulation–Clearance Required	100	100	70	50	50	20	20	410	40	30	480
4442	(a,b)	M	Spark Arrester Required, Internal Combustion Engines	100	100	70	50	50	20	20	410	40	30	480
4442.5		M	Spark Arrester Required, Public Notice Required for Sales, Lease, and Rent	100	100	70	50	50	20	20	410	40	30	480
4442.6	(a)	<sup>3</sup> I	Sell, Offer to Sell, Lease, or Rent Specified Equipment With Internal Combustion Engine Without Required Warning Label	100	100	70	50	50	20	20	410	40	35	485
4442.6	(b)	<sup>3</sup> I	Manufacture of Specified Equipment With Internal Combustion Engine Without Attaching Required Warning Label	100	100	70	50	50	20	20	410	40	35	485
4443		M	Internal Combustion Engines–Handheld, Portable, and Multiposition; Construction Requirements for Use	100	100	70	50	50	20	20	410	40	30	480
4445		M	Tracer Ammunition, Restricted Use	150	150	105	75	75	30	30	615	40	30	685
4446	(a-c)	M	Incinerator Standards	100	100	70	50	50	20	20	410	40	30	480

**FORESTRY BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**  
**(Public Resources Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Total Bail **
5008.10 (b,c)	I		Smoking or Disposing of Cigarette or Cigar Waste on a State Beach	25	<b>10/10</b>	21	<b>7</b>	<b>5/10</b>	5	<b>20%</b>	2	40	0	192
					30	21	15	15	5	6	117	40	35	

**Notes**

- <sup>1</sup> Per PRC 4299: " ... punished by a fine of not less than \$100 nor more than \$2,000 or by imprisonment in the county jail for not less than 10 days nor more than 90 days or both that fine and imprisonment."
- <sup>2</sup> Per PRC 4376: "A person who maintains a solid waste facility in violation of this chapter is guilty of a misdemeanor, and shall be punished for a first conviction by a fine of not to exceed \$500, and, for a second or subsequent conviction within five years of a prior conviction of a violation of this chapter, by a fine not less than \$250 or more than \$1,000 or imprisonment in the county jail for a period not to exceed 30 days, or both that fine and imprisonment. Each and every day of violation is a separate and distinct offense."
- <sup>3</sup> Per PRC 4442.6(c): "... an infraction punishable by a fine of not more than \$100."

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
<b>(Fish and Game Code)</b>															
<b>GENERAL LICENSE PROVISIONS</b>															
1052	(a-f)		M	Unlawful Use of License or Tag	200	200	140	100	100	40	40	820	40	30	890
1054			M	False Statement to Obtain License	200	200	140	100	100	40	40	820	40	30	890
1054.2			M	License, Tag, Stamp, or Permit Requirement	200	200	140	100	100	40	40	820	40	30	890
1054.2	1	1	M	License, Tag, Stamp, or Permit Requirement – Trophy Deer, Elk, Antelope, or Big Horn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
1059	(a)	2	2	M	Failure of License Agent to Account for Licenses, Stamps, Tags, or Fees	300	300	210	150	150	60	1230	40	30	1300
<b>TAKING AND POSSESSING</b>															
2000	(a)		M	Unlawful Taking or Possessing of Fish or Wildlife	200	200	140	100	100	40	40	820	40	30	890
2001	(a-c)		M	Unlawful Possession After Season	200	200	140	100	100	40	40	820	40	30	890
2001	(a, c)	3	3	M	Unlawful Possession of Trophy Deer, Elk, Antelope. or Bighorn Sheep After Season	5000	5000	3500	2500	2500	1000	20500	40	30	20570
2001	(b)	4	4	M	Unlawful Possession of Wild Turkey After Season	2000	2000	1400	1000	1000	400	8200	40	30	8270
2002			M	Unlawfully Possessing a Bird, Mammal, Fish, Reptile, Amphibian, or Part of Any of Those Animals, Taken in Violation of This Code or a Regulation Adopted Under This Code	200	200	140	100	100	40	40	820	40	30	890
2004			M	Property Damage While Hunting or Fishing	200	200	140	100	100	40	40	820	40	30	890
2005	(a-c)		M	Unlawful Use of Artificial Light	300	300	210	150	150	60	60	1230	40	30	1300
2005	(a-c)	3	3	M	Unlawful Use of Artificial Light to Assist in Taking of Trophy Deer, Elk, Antelope, or Bighorn Sheep	5000	5000	3500	2500	2500	1000	20500	40	30	20570

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **	
2005	(a, c)	4	4	M	Unlawful Use of Artificial Light to Assist in Taking of Wild Turkey	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
2006	(a)			M	Loaded Gun in Vehicle	100	100	70	50	50	20	20	410	40	30	480
2010	(a)			M	Unlawful Possession or Use of a Shotgun	100	100	70	50	50	20	20	410	40	30	480
2011.5		5	5	M	Unlawful Removal of Hunting Dog Collar	200	200	140	100	100	40	40	820	40	30	890
2012				M	Failure to Show License, Equipment, or Game	100	100	70	50	50	20	20	410	40	30	480
2015	(a)			M	Unlawful Possession of Bird, Fish, Etc., in Restaurant or Eating Establishment	300	300	210	150	150	60	60	1230	40	30	1300
2016	(a)			M	Trespass While Hunting	200	200	140	100	100	40	40	820	40	30	890
2018				M	Unlawful Posting or Destruction of Signs	200	200	140	100	100	40	40	820	40	30	890
<b>2020</b>				<b>I</b>	<b>Fish and Game Regulation Violation</b>	<b>100</b>	<b>100</b>	<b>70</b>	<b>50</b>	<b>50</b>	<b>20</b>	<b>20</b>	<b>410</b>	<b>40</b>	<b>35</b>	<b>485</b>
2020				M	Fish and Game Regulation Violation	200	200	140	100	100	40	40	820	40	30	890
2024	(c,d)	6	6	M	Unlawful Removal and Commercialization of Dudleya Value under \$250	1000	1000	700	500	500	200	200	4100	40	30	4170
2024	(c,d)	6	6	M	Unlawful Removal and Commercialization of Dudleya Value over \$250	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
2080				M	Importing/Taking/Possessing Any Rare or Endangered Animal	300	300	210	150	150	60	60	1230	40	30	1300
<b>INFORMATION, TRANSPORTATION, AND SHELTERING OF RESTRICTED LIVE WILD ANIMALS</b>																
2118				M	Unlawful Possession of Prohibited Species	500	500	350	250	250	100	100	2050	40	30	2120
2121				M	Allowing a Legally Imported Wild Animal to Escape	200	200	140	100	100	40	40	820	40	30	890
<b>2353</b>	<b>25</b>	<b>23</b>		<b>I</b>	<b>Dead Wild Birds, Mammals, Fish, Reptiles, and Amphibia</b>	<b>100</b>	<b>100</b>	<b>70</b>	<b>50</b>	<b>50</b>	<b>20</b>	<b>20</b>	<b>410</b>	<b>40</b>	<b>35</b>	<b>485</b>
2353	25	23		M	Dead Wild Birds, Mammals, Fish, Reptiles, and Amphibia	250	250	175	125	125	50	50	1025	40	30	1095
2361				M	Importation of Salmon	200	200	140	100	100	40	40	820	40	30	890
2576				M	Capturing or Transporting for Sale, or Selling Wild Rodents	100	100	70	50	50	20	20	410	40	30	480

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
<b>METHODS OF TAKING</b>															
3000			M	Hunting During Closed Hours	200	200	140	100	100	40	40	820	40	30	890
3001			M	Hunting While Intoxicated	350	350	245	175	175	70	70	1435	40	30	1505
3002			M	Shooting From Boat, Vehicle, or Airplane	200	200	140	100	100	40	40	820	40	30	890
3003	(a)	5	5	M	Unlawful Hunting With a Gun or Device Accessed Via an Internet Connection	350	350	245	175	175	70	1435	40	30	1505
3003	(b)(1)	5	5	M	Owning or Operating Online Shooting Range, Site, or Gallery	350	350	245	175	175	70	1435	40	30	1505
3003	(b)(2)	5	5	M	Create, Maintain, or Utilize Internet Web Site or Service by Other Means for Purpose of Online Hunting	350	350	245	175	175	70	1435	40	30	1505
3003	(c)	5	5	M	Possession or Confinement of Bird or Mammal for Online Hunting	350	350	245	175	175	70	1435	40	30	1505
3003	(d)	5	5	M	Import or Export of Bird or Mammal Killed by Online Hunting	350	350	245	175	175	70	1435	40	30	1505
3004	(a)	5	5	M	Shooting Within 150 Yards of Dwelling	150	150	105	75	75	30	615	40	30	685
3004	(b)	5	5	M	Unlawful Discharge of Firearm, Arrow, or Crossbow Bolt Across a Public Road or Way	150	150	105	75	75	30	615	40	30	685
3004.5	(a)(1)	7	7	I	Use of Unlawful Rifle or Pistol Ammunition	500	500	350	250	250	100	2050	40	35	2125
3005			M	Taking Birds or Mammals With Unlawful Devices	150	150	105	75	75	30	30	615	40	30	685
3012			M	Use of Amplified Animal Sounds to Assist in Taking	100	100	70	50	50	20	20	410	40	30	480
<b>DOMESTICATED GAME BREEDING</b>															
3200			M	License for Breeding	100	100	70	50	50	20	20	410	40	30	480

**GENERAL PROVISIONS**

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* Surchage*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
3501			M	Unlawful Driving of Game Birds	100	100	70	50	50	20	20	410	40	30	480
3503	8	8	M	Taking, Possessing, or Destroying the Nest or Eggs of Any Birds	400	400	280	200	200	80	80	1640	40	30	1710
<b>FULLY PROTECTED BIRDS</b>															
3511	(a)(1)		M	Taking or Possession of Fully Protected Birds	500	500	350	250	250	100	100	2050	40	30	2120
<b>NONGAME BIRDS</b>															
3800	8	8	M	Taking of One Nongame Bird	400	400	280	200	200	80	80	1640	40	30	1710
3800			M	(Each Additional Nongame Bird)	100	100	70	50	50	20	20	410	0	0	410
<b>GAME MAMMALS</b>															
3960	(b)		M	Unlawful to Allow Dog to Pursue Big Game Mammal During Closed Season; Protected, Rare, or Endangered Mammal; Bear or Bobcat; or Any Mammal in Game Refuge or Ecological Reserve	400	400	280	200	200	80	80	1640	40	30	1710
<b>TRAPPING PROVISIONS</b>															
4004	(a, c-f)	9	9	M	Trapping Violations	150	150	105	75	75	30	615	40	30	685
4004	(b)	9	9	M	Setting or Maintaining Trap Without Required Identifying Mark	300	300	210	150	150	60	1230	40	30	1300
<b>TAKING DEER</b>															
4304	(a)		M	Waste of Deer	150	150	105	75	75	30	30	615	40	30	685
4304	(a)	10	10	M	Waste of Trophy Deer	5000	5000	3500	2500	2500	1000	20500	40	30	20570
4304	(b)		M	Waste of Game	150	150	105	75	75	30	30	615	40	30	685

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* 10	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **	
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>		
4304	(b)	10	10	M	Waste of Trophy Elk, Antelope, or Big Horn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
4304	(b)			M	Waste of Trophy Turkey	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
4330				M	No Deer License Tag	150	150	105	75	75	30	30	615	40	30	685
4330		10	10	M	No License Tag for Trophy Deer, Elk, Antelope, or Big Horn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
4330		10	10	M	No License Tag for Trophy Turkey	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
4336	(a,b)			M	Untagged Deer	150	150	105	75	75	30	30	615	40	30	685
<b>BURRO</b>																
4600	(a)			M	Unlawful Killing or Capture of Undomesticated Burro	300	300	210	150	150	60	60	1230	40	30	1300
<b>WILD PIG</b>																
4657	(a)			M	Wild Pig License Tag Violation	150	150	105	75	75	30	30	615	40	30	685
<b>FULLY PROTECTED MAMMALS</b>																
4700	(a)(1)	11	11	M	Taking or Possession of Fully Protected Mammal	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
<b>BEAR</b>																
4753				M	Bear Tag License Violation	150	150	105	75	75	30	30	615	40	30	685
4758		12	12	M	Sale or Purchase of Bear Meat or Parts	3250	3250	2275	1625	1625	650	650	13325	40	30	13395
4758		13	13	M	Possession of Three or More Bear Gall Bladders	10000	10000	7000	5000	5000	2000	2000	41000	40	30	41070
<b>FULLY PROTECTED REPTILES AND AMPHIBIANS</b>																
5000				M	Selling, Purchasing, Harming, Possessing, Transporting, or Shooting Desert Tortoise	300	300	210	150	150	60	60	1230	40	30	1300

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
5050	(a)(1)		M	Taking or Possession of Fully Protected Reptile or Amphibian	500	10/10 500	7 350	5/10 250	5 250	20% 100	2 100	2050	40	30	2120

**FISH - GENERAL PROVISIONS**

5508	26	24	I	Fish of Indeterminate Size	100	100	70	50	50	20	20	410	40	35	485
5508	14	14	M	Fish of Indeterminate Size	250	250	175	125	125	50	50	1025	40	30	1095
5508			M	(For Each Additional Fish)	20	20	14	10	10	4	4	82	0	0	82
5509	25	23	I	Fish of Indeterminate Species	100	100	70	50	50	20	20	410	40	35	485
5509	25	23	M	Fish of Indeterminate Species	250	250	175	125	125	50	50	1025	40	30	1095

**FULLY PROTECTED FISH**

5515	(a)		M	Taking or Possession of Fully Protected Fish	500	500	350	250	250	100	100	2050	40	30	2120
5517	(a)(1-4)		M	Taking of Any White Shark, Use of Shark Bait, Shark Lure, or Shark Chum to Attract a White Shark	200	200	140	100	100	40	40	820	40	30	890
5521-5521.5	(a)	15	15	M	Taking, Possessing, or Landing Abalone for Commercial or Recreational Purposes From Designated Waters	15000	15000	10500	7500	7500	3000	61500	40	30	61570

**WATER POLLUTION - GENERAL PROVISIONS**

5650	2	2	M	Depositing/Permitting to Pass Into Waters Deleterious Materials	500	500	350	250	250	100	100	2050	40	30	2120
5652	(a)	26	24	I	Littering Within 150 Feet of Water	50	50	35	25	25	10	205	40	35	280
5652	(a)		M	Littering Within 150 Feet of Water	100	100	70	50	50	20	20	410	40	30	480

**FISH PLANTING AND PROPAGATION**

6400	17	16	M	Unlawful Placing of Fish, Animal, or Plant in Waters	15000	15000	10500	7500	7500	3000	3000	61500	40	30	61570
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**SPORT FISHING - GENERAL PROVISIONS**



**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
7121			M	Unlawful Sale or Purchase of Fish	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
7121	18	17	M	Unlawful Sale or Purchase of Abalone	15000	15000	10500	7500	7500	3000	3000	61500	40	30	61570
<b>SPORT FISHING LICENSES</b>															
7145	(a)	19	18	I	Fishing Without a License	100	100	70	50	50	20	410	40	35	485
7145	(a)			I	-With Proof of Valid License to Court	25	30	21	15	15	5	117	40	35	192
7149.8		25	23	I	Abalone Validation or Stamp	100	100	70	50	50	20	410	40	35	485
7149.8		25	23	M	Abalone Validation or Stamp	250	250	175	125	125	50	1025	40	30	1095
<b>COMMERCIAL SALMON TROLLERS ENHANCEMENT AND RESTORATION</b>															
7850		28	26	I	Commercial Fishing License	100	100	70	50	50	20	410	40	35	485
7850		28	26	M	Commercial Fishing License	250	250	175	125	125	50	1025	40	30	1095
7852.27		25	23	I	Valid Identification While Commercial Fishing	100	100	70	50	50	20	410	40	35	485
7852.27		25	23	M	Valid Identification While Commercial Fishing	250	250	175	125	125	50	1025	40	30	1095
7856		25	23	I	Preparation of Fish for Consumption on a Commercial Vessel	100	100	70	50	50	20	410	40	35	485
7856		25	23	M	Preparation of Fish for Consumption on a Commercial Vessel	250	250	175	125	125	50	1025	40	30	1095
7857		25	23	I	Commercial Fishing Licenses, Permits, and Entitlements	100	100	70	50	50	20	410	40	35	485
7857		25	23	M	Commercial Fishing Licenses, Permits, and Entitlements	250	250	175	125	125	50	1025	40	30	1095
7860		20	19	M	No Commercial Fishing Stamps for Salmon	200	200	140	100	100	40	820	40	30	890
7880		25	23	I	Vessel Registration Display	100	100	70	50	50	20	410	40	35	485
7880		25	23	M	Vessel Registration Display	250	250	175	125	125	50	1025	40	30	1095
7881		25	23	I	Commercial Vessel Registration	100	100	70	50	50	20	410	40	35	485
7881		25	23	M	Commercial Vessel Registration	250	250	175	125	125	50	1025	40	30	1095
7920		28	26	I	Commercial Passenger Fishing Boat License	100	100	70	50	50	20	410	40	35	485
7920		28	26	M	Commercial Passenger Fishing Boat License	250	250	175	125	125	50	1025	40	30	1095
7923		25	23	I	Fishing Log	100	100	70	50	50	20	410	40	35	485

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **	
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>		
7923	25	23	M	Fishing Log	250	250	175	125	125	50	50	1025	40	30	1095	
8026	25	23	I	Fishing Activity Record	100	100	70	50	50	20	20	410	40	35	485	
8026	25	23	M	Fishing Activity Record	250	250	175	125	125	50	50	1025	40	30	1095	
8030-8036	25	23	I	Commercial Fish Business Licenses	100	100	70	50	50	20	20	410	40	35	485	
8030-8036	25	23	M	Commercial Fish Business Licenses	250	250	175	125	125	50	50	1025	40	30	1095	
8043-8050	25	23	I	Landing Fees	100	100	70	50	50	20	20	410	40	35	485	
8043-8050	25	23	M	Landing Fees	250	250	175	125	125	50	50	1025	40	30	1095	
8257	25	23	I	Lobster Permit Number	100	100	70	50	50	20	20	410	40	35	485	
8257	25	23	M	Lobster Permit Number	250	250	175	125	125	50	50	1025	40	30	1095	
8603			M	Unlawful Use of Net, Trap, or Line	400	400	280	200	200	80	80	1640	40	30	1710	
<b>COMMERCIAL FISHING - NETS</b>																
8670	2	2	M	Unlawful Use or Possession of Net for Taking Certain Fish	400	400	280	200	200	80	80	1640	40	30	1710	
<b>GILL AND TRAMMEL NETS AND OTHER MEANS OF TAKING</b>																
8685.5			M	Prohibited Use of Gill Nets to Take Certain Fish	2000	2000	1400	1000	1000	400	400	8200	40	30	8270	
8685.6			M	Prohibited Possession/Sale of Fish Taken With Gill Net	2000	2000	1400	1000	1000	400	400	8200	40	30	8270	
8685.7			M	Prohibited Purchase of Fish Taken by Gill Net	2000	2000	1400	1000	1000	400	400	8200	40	30	8270	
9001	25	23	I	General Trap Permit	100	100	70	50	50	20	20	410	40	35	485	
9001	25	23	M	General Trap Permit	250	250	175	125	125	50	50	1025	40	30	1095	
9003	25	23	I	Trap Destruction Device	100	100	70	50	50	20	20	410	40	35	485	
9003	25	23	M	Trap Destruction Device	250	250	175	125	125	50	50	1025	40	30	1095	
9004	25	23	I	Trap Service Interval	100	100	70	50	50	20	20	410	40	35	485	
9004	25	23	M	Trap Service Interval	250	250	175	125	125	50	50	1025	40	30	1095	
<b>REFUGES</b>																
10500	(a-g)	2	2	M	Acts Unlawful in Refuge	500	500	350	250	250	100	100	2050	40	30	2120

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
<b>GENERAL PROVISIONS</b>															
12003.1	(a)	22	20	M	Unlawful Taking of Animal	250	250	175	125	125	50	50	40	30	1095
12012	(a)	23	21	M	Illegal Poaching of Wildlife for Profit	10000	10000	7000	5000	5000	2000	2000	40	30	41070
12013	(a)	23	21	M	Taking or Possessing More than Three Times the Bag or Possession Limit	10000	10000	7000	5000	5000	2000	2000	40	30	41070
12013.5	(a)	24	22	M	Violation Committed With Use of Signal Emitting Device for Taking of Bear for Purpose of Selling or Trafficking in Bear Parts	10000	10000	7000	5000	5000	2000	2000	40	30	41070
<b>AQUACULTURE</b>															
15202				M	Placement of Prohibited Species in Designated Waters	3000	3000	2100	1500	1500	600	600	40	30	12370
15509				M	Violation of Established Aquatic Quarantine	3000	3000	2100	1500	1500	600	600	40	30	12370
<b>(California Code of Regulations, Title 14)</b>															
1.14		25	23	I	Authorization for Taking Fish	100	100	70	50	50	20	20	40	35	485
1.14		25	23	M	Authorization for Taking Fish	250	250	175	125	125	50	50	40	30	1095
1.17		25	23	I	Excess of Bag Limit–Fish	100	100	70	50	50	20	20	40	35	485
1.17				I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	0	0	82
1.17				M	Excess of Bag Limit–Fish	250	250	175	125	125	50	50	40	30	1095
1.17				M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	0	0	82
1.62		25	23	I	Undersize Fish	100	100	70	50	50	20	20	40	35	485
1.62				I	(For Each Undersize Fish)	20	20	14	10	10	4	4	0	0	82
1.62				M	Undersize Fish	250	250	175	125	125	50	50	40	30	1095
1.62				M	(For Each Undersize Fish)	20	20	14	10	10	4	4	0	0	82
1.74		25	23	I	Sport Fishing Report Card and Tagging Requirements	100	100	70	50	50	20	20	40	35	485

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
1.74	26	24	M	Sport Fishing Report Card and Tagging Requirements	300	300	210	150	150	60	60	1230	40	30	1300
2	25	23	I	Fishing Methods--With 2 Poles	100	100	70	50	50	20	20	410	40	35	485
2			I	--With Net	150	150	105	75	75	30	30	615	40	35	690
2			M	Fishing Methods--With 2 Poles	200	200	140	100	100	40	40	820	40	30	890
2			M	--With Net	300	300	210	150	150	60	60	1230	40	30	1300
2.1	25	23	I	Fishing Methods--Hooks	100	100	70	50	50	20	20	410	40	35	485
2.1			M	Fishing Methods--Hooks	200	200	140	100	100	40	40	820	40	30	890
5.8	25	23	I	White Sturgeon	250	250	175	125	125	50	50	1025	40	35	1100
5.8			I	(For Each Over-Limit or Illegal Size Fish)	50	50	35	25	25	10	10	205	0	0	205
5.8	26	24	M	White Sturgeon	500	500	350	250	250	100	100	2050	40	30	2120
5.8			M	(For Each Over-Limit or Illegal Size Fish)	100	100	70	50	50	20	20	410	0	0	410
7.40	25	23	I	Hatchery Trout, Hatchery Steelhead and Salmon Waters with Special Regulations	100	100	70	50	50	20	20	410	40	35	485
7.40	26	24	M	Hatchery Trout, Hatchery Steelhead and Salmon Waters with Special Regulations	300	300	210	150	150	60	60	1230	40	30	1300
7.50	25	23	I	Trout Waters with Special Fishing Regulations	100	100	70	50	50	20	20	410	40	35	485
7.50	26	24	M	Trout Waters with Special Fishing Regulations	300	300	210	150	150	60	60	1230	40	30	1300
27.6	26	24	I	Fin Fish Limits	100	100	70	50	50	20	20	410	40	35	485
27.6			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.6			M	Fin Fish Limits	250	250	175	125	125	50	50	1025	40	30	1095
27.6			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.65			I	Filleting of Fish on Vessels	100	100	70	50	50	20	20	410	40	35	485
27.65			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.65			M	Filleting of Fish on Vessels	250	250	175	125	125	50	50	1025	40	30	1095
27.65			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.7			I	Trout in the Ocean	100	100	70	50	50	20	20	410	40	35	485
27.7			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.7			M	Trout in the Ocean	250	250	175	125	125	50	50	1025	40	30	1095
27.7			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82

**FISH AND GAME BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
27.75			I	Salmon Closures	100	100	70	50	50	20	20	410	40	35	485
27.75			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.75			M	Salmon Closures	250	250	175	125	125	50	50	1025	40	30	1095
27.75			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.8			I	Salmon	100	100	70	50	50	20	20	410	40	35	485
27.8			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.8			M	Salmon	250	250	175	125	125	50	50	1025	40	30	1095
27.8			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.85			I	Striped Bass	100	100	70	50	50	20	20	410	40	35	485
27.85			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.85			M	Striped Bass	250	250	175	125	125	50	50	1025	40	30	1095
27.85			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.9			I	White Sturgeon	250	250	175	125	125	50	50	1025	40	35	1100
27.9			I	(For Each Over-Limit or Illegal Size Fish)	50	50	35	25	25	10	10	205	0	0	205
27.9			M	White Sturgeon	500	500	350	250	250	100	100	2050	40	30	2120
27.9			M	(For Each Over-Limit or Illegal Size Fish)	100	100	70	50	50	20	20	410	0	0	410
27.91	26	24	I	Green Sturgeon	100	100	70	50	50	20	20	410	40	35	485
27.91			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.91	26	24	M	Green Sturgeon	250	250	175	125	125	50	50	1025	40	30	1095
27.91			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.92			I	White Sturgeon Reporting and Tagging Requirements for Ocean Waters	100	100	70	50	50	20	20	410	40	35	485
27.92			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.92			M	White Sturgeon Reporting and Tagging Requirements for Ocean Waters	300	300	210	150	150	60	60	1230	40	30	1300
27.92			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.95			I	Sturgeon Closure	100	100	70	50	50	20	20	410	40	35	485
27.95			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
27.95			M	Sturgeon Closure	250	250	175	125	125	50	50	1025	40	30	1095
27.95			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82

## FISH AND GAME BAIL AND PENALTY SCHEDULE

(\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
28		I		Grunion, California	100	100	70	50	50	20	20	410	40	35	485
28		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28		M		Grunion, California	250	250	175	125	125	50	50	1025	40	30	1095
28		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.05		I		Garibaldi	100	100	70	50	50	20	20	410	40	35	485
28.05		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.05		M		Garibaldi	250	250	175	125	125	50	50	1025	40	30	1095
28.05		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.06		I		White Shark	100	100	70	50	50	20	20	410	40	35	485
28.06		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.06		M		White Shark	250	250	175	125	125	50	50	1025	40	30	1095
28.06		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.1		I		Giant (Black) Sea Bass	100	100	70	50	50	20	20	410	40	35	485
28.1		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.1		M		Giant (Black) Sea Bass	250	250	175	125	125	50	50	1025	40	30	1095
28.1		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.12		I		Gulf Grouper and Broomtail Grouper	100	100	70	50	50	20	20	410	40	35	485
28.12		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.12		M		Gulf Grouper and Broomtail Grouper	250	250	175	125	125	50	50	1025	40	30	1095
28.12		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.15		I		Halibut, California	100	100	70	50	50	20	20	410	40	35	485
28.15		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.15		M		Halibut, California	250	250	175	125	125	50	50	1025	40	30	1095
28.15		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.2		I		Halibut, Pacific	100	100	70	50	50	20	20	410	40	35	485
28.2		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.2		M		Halibut, Pacific	250	250	175	125	125	50	50	1025	40	30	1095
28.2		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.25		I		Barracuda, California	100	100	70	50	50	20	20	410	40	35	485
28.25		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82

**FISH AND GAME BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
28.25			M	Barracuda, California	250	250	175	125	125	50	50	1025	40	30	1095
28.25			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.26			I	California Sheephead	100	100	70	50	50	20	20	410	40	35	485
28.26			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.26			M	California Sheephead	250	250	175	125	125	50	50	1025	40	30	1095
28.26			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.27			I	Lingcod	100	100	70	50	50	20	20	410	40	35	485
28.27			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.27			M	Lingcod	250	250	175	125	125	50	50	1025	40	30	1095
28.27			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.28			I	Cabazon	100	100	70	50	50	20	20	410	40	35	485
28.28			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.28			M	Cabazon	250	250	175	125	125	50	50	1025	40	30	1095
28.28			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.29			I	Kelp Greenling, Rock Greenling	100	100	70	50	50	20	20	410	40	35	485
28.29			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.29			M	Kelp Greenling, Rock Greenling	250	250	175	125	125	50	50	1025	40	30	1095
28.29			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.3			I	Kelp Bass, Barred Sand Bass, and Spotted Sand Bass	100	100	70	50	50	20	20	410	40	35	485
28.3			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.3			M	Kelp Bass, Barred Sand Bass, and Spotted Sand Bass	250	250	175	125	125	50	50	1025	40	30	1095
28.3			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.32			I	Pacific Bonito	100	100	70	50	50	20	20	410	40	35	485
28.32			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.32			M	Pacific Bonito	250	250	175	125	125	50	50	1025	40	30	1095
28.32			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.35			I	White Seabass	100	100	70	50	50	20	20	410	40	35	485
28.35			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
28.35			M	White Seabass	250	250	175	125	125	50	50	1025	40	30	1095
28.35			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.37			I	Yellowtail	100	100	70	50	50	20	20	410	40	35	485
28.37			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.37			M	Yellowtail	250	250	175	125	125	50	50	1025	40	30	1095
28.37			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.38	26	24	I	Tunas	100	100	70	50	50	20	20	410	40	35	485
28.38			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.38	26	24	M	Tunas	250	250	175	125	125	50	50	1025	40	30	1095
28.38			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.4			I	Broadbill Swordfish	100	100	70	50	50	20	20	410	40	35	485
28.4			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.4			M	Broadbill Swordfish	250	250	175	125	125	50	50	1025	40	30	1095
28.4			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.41	26	24	I	Sixgill Shark, Sevengill Shark	100	100	70	50	50	20	20	410	40	35	485
28.41			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.41	26	24	M	Sixgill Shark, Sevengill Shark	250	250	175	125	125	50	50	1025	40	30	1095
28.41			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.42	26	24	I	Shortfin Mako Shark, Thresher Shark, and Blue Shark	100	100	70	50	50	20	20	410	40	35	485
28.42			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.42	26	24	M	Shortfin Mako Shark, Thresher Shark, and Blue Shark	250	250	175	125	125	50	50	1025	40	30	1095
28.42			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.45			I	Surf Smelt (Night Smelt, Day Fish, Whitebait Smelt)	100	100	70	50	50	20	20	410	40	35	485
28.45			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.45			M	Surf Smelt (Night Smelt, Day Fish, Whitebait Smelt)	250	250	175	125	125	50	50	1025	40	30	1095
28.45			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82



**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
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Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
28.47	26	24	I	Petrale Sole and Starry Flounder	100	100	70	50	50	20	20	410	40	35	485
28.47			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.47	26	24	M	Petrale Sole and Starry Flounder	250	250	175	125	125	50	50	1025	40	30	1095
28.47			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.48	26	24	I	Pacific Sanddab, Rock Sole, Sand Sole, Butter Sole, Curlfin Sole, Rex Sole, and Flathead Sole	100	100	70	50	50	20	20	410	40	35	485
28.48			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.48	26	24	M	Pacific Sanddab, Rock Sole, Sand Sole, Butter Sole, Curlfin Sole, Rex Sole, and Flathead Sole	250	250	175	125	125	50	50	1025	40	30	1095
28.48			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.49	26	24	I	Soupin Shark, Dover Sole, English Sole, Arrowtooth Flounder, Spiny Dogfish, Skates, Ratfish, Grenadiers, Finescale Codling, Pacific Cod, Pacific Whiting, Sablefish and Thornyheads	100	100	70	50	50	20	20	410	40	35	485
28.49			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.49	26	24	M	Soupin Shark, Dover Sole, English Sole, Arrowtooth Flounder, Spiny Dogfish, Skates, Ratfish, Grenadiers, Finescale Codling, Pacific Cod, Pacific Whiting, Sablefish and Thornyheads	250	250	175	125	125	50	50	1025	40	30	1095
28.49			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.5			I	Marlin	100	100	70	50	50	20	20	410	40	35	485
28.5			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.5			M	Marlin	250	250	175	125	125	50	50	1025	40	30	1095
28.5			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.54			I	California Scorpionfish (Sculpin)	100	100	70	50	50	20	20	410	40	35	485
28.54			I	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.54			M	California Scorpionfish (Sculpin)	250	250	175	125	125	50	50	1025	40	30	1095
28.54			M	(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
28.55		I		Rockfish (Sebastes)	100	100	70	50	50	20	20	410	40	35	485
28.55		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.55		M		Rockfish (Sebastes)	250	250	175	125	125	50	50	1025	40	30	1095
28.55		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.56		I		Leopard Shark	100	100	70	50	50	20	20	410	40	35	485
28.56		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.56		M		Leopard Shark	250	250	175	125	125	50	50	1025	40	30	1095
28.56		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.58		I		Ocean Whitefish	100	100	70	50	50	20	20	410	40	35	485
28.58		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.58		M		Ocean Whitefish	250	250	175	125	125	50	50	1025	40	30	1095
28.58		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.59		I		Surfperch	100	100	70	50	50	20	20	410	40	35	485
28.59		I		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.59		M		Surfperch	250	250	175	125	125	50	50	1025	40	30	1095
28.59		M		(For Each Over-Limit Fish)	20	20	14	10	10	4	4	82	0	0	82
28.6		I		Herring Eggs	100	100	70	50	50	20	20	410	40	35	485
28.6		I		(For Each Pound Over Limit)	20	20	14	10	10	4	4	82	0	0	82
28.6		M		Herring Eggs	250	250	175	125	125	50	50	1025	40	30	1095
28.6		M		(For Each Pound Over Limit)	20	20	14	10	10	4	4	82	0	0	82
28.65		I		Fin Fish—General Gear Restrictions	100	100	70	50	50	20	20	410	40	35	485
28.65		M		Fin Fish—General Gear Restrictions	250	250	175	125	125	50	50	1025	40	30	1095
28.7		I		Weight, Power Driven Gurdies, or Power Driven Winches	100	100	70	50	50	20	20	410	40	35	485
28.7		M		Weight, Power Driven Gurdies, or Power Driven Winches	250	250	175	125	125	50	50	1025	40	30	1095
28.75		I		Baited Traps for Shiner Surfperch, Pacific Staghorn Sculpin, and Longjaw Mudsuckers	100	100	70	50	50	20	20	410	40	35	485
28.75		M		Baited Traps for Shiner Surfperch, Pacific Staghorn Sculpin, and Longjaw Mudsuckers	250	250	175	125	125	50	50	1025	40	30	1095

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
28.8			I	Dip Nets and Hawaiian-Type Throw Nets	100	100	70	50	50	20	20	410	40	35	485
28.8			M	Dip Nets and Hawaiian-Type Throw Nets	250	250	175	125	125	50	50	1025	40	30	1095
28.85			I	Beach Nets	100	100	70	50	50	20	20	410	40	35	485
28.85			M	Beach Nets	250	250	175	125	125	50	50	1025	40	30	1095
28.9			I	Diving, Spearfishing	100	100	70	50	50	20	20	410	40	35	485
28.9			M	Diving, Spearfishing	250	250	175	125	125	50	50	1025	40	30	1095
28.91			I	Slurp Guns	100	100	70	50	50	20	20	410	40	35	485
28.91			M	Slurp Guns	250	250	175	125	125	50	50	1025	40	30	1095
28.95			I	Spears, Harpoons, and Bow and Arrow Fishing Tackle	100	100	70	50	50	20	20	410	40	35	485
28.95			M	Spears, Harpoons, and Bow and Arrow Fishing Tackle	250	250	175	125	125	50	50	1025	40	30	1095
29			I	Gear Used in Taking Grunion	100	100	70	50	50	20	20	410	40	35	485
29			M	Gear Used in Taking Grunion	250	250	175	125	125	50	50	1025	40	30	1095
29.05			I	Invertebrates-General	100	100	70	50	50	20	20	410	40	35	485
29.05			M	Invertebrates-General	250	250	175	125	125	50	50	1025	40	30	1095
29.1			I	Invertebrates-General	100	100	70	50	50	20	20	410	40	35	485
29.1			M	Invertebrates-General	250	250	175	125	125	50	50	1025	40	30	1095
29.15			I	Abalone	100	100	70	50	50	20	20	410	40	35	485
29.15			I	(For Each Over-Limit Abalone)	20	20	14	10	10	4	4	82	0	0	82
29.15			M	Abalone	250	250	175	125	125	50	50	1025	40	30	1095
29.15			M	(For Each Over-Limit Abalone)	20	20	14	10	10	4	4	82	0	0	82
29.16	26	24	I	Abalone Report Card and Tagging Requirements	100	100	70	50	50	20	20	410	40	35	485
29.16	26	24	M	Abalone Report Card and Tagging Requirements	250	250	175	125	125	50	50	1025	40	30	1095
29.2			I	Clams-General	100	100	70	50	50	20	20	410	40	35	485
29.2			I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.2			M	Clams-General	250	250	175	125	125	50	50	1025	40	30	1095
29.2			M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
29.25			I	Gaper Clams and Washington Clams	100	100	70	50	50	20	20	410	40	35	485
29.25			I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.25			M	Gaper Clams and Washington Clams	250	250	175	125	125	50	50	1025	40	30	1095
29.25			M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.3			I	Geoduck Clams	100	100	70	50	50	20	20	410	40	35	485
29.3			I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.3			M	Geoduck Clams	250	250	175	125	125	50	50	1025	40	30	1095
29.3			M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.35			I	Littleneck Clams, Soft-Shell Clams, Chiones, Northern Quahogs, and Cockles	100	100	70	50	50	20	20	410	40	35	485
29.35			I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.35			M	Littleneck Clams, Soft-Shell Clams, Chiones, Northern Quahogs, and Cockles	250	250	175	125	125	50	50	1025	40	30	1095
29.35			M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.4			I	Pismo Clams	100	100	70	50	50	20	20	410	40	35	485
29.4			I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.4			M	Pismo Clams	250	250	175	125	125	50	50	1025	40	30	1095
29.4			M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.45			I	Razor Clams	100	100	70	50	50	20	20	410	40	35	485
29.45			I	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.45			M	Razor Clams	250	250	175	125	125	50	50	1025	40	30	1095
29.45			M	(For Each Over-Limit Clam)	20	20	14	10	10	4	4	82	0	0	82
29.55			I	Mussels	100	100	70	50	50	20	20	410	40	35	485
29.55			I	(For Each Over-Limit Mussel)	20	20	14	10	10	4	4	82	0	0	82
29.55			M	Mussels	250	250	175	125	125	50	50	1025	40	30	1095
29.55			M	(For Each Over-Limit Mussel)	20	20	14	10	10	4	4	82	0	0	82
29.6			I	Rock Scallops	100	100	70	50	50	20	20	410	40	35	485
29.6			M	Rock Scallops	250	250	175	125	125	50	50	1025	40	30	1095
29.65			I	Speckled (Bay) Scallops	100	100	70	50	50	20	20	410	40	35	485
29.65			M	Speckled (Bay) Scallops	250	250	175	125	125	50	50	1025	40	30	1095

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
29.7			I	Squid	100	100	70	50	50	20	20	410	40	35	485
29.7			M	Squid	250	250	175	125	125	50	50	1025	40	30	1095
29.71			I	Moon Snails	100	100	70	50	50	20	20	410	40	35	485
29.71			M	Moon Snails	250	250	175	125	125	50	50	1025	40	30	1095
29.8			I	Crustacean Gear Restrictions	100	100	70	50	50	20	20	410	40	35	485
29.8			M	Crustacean Gear Restrictions	250	250	175	125	125	50	50	1025	40	30	1095
29.85			I	Crabs	100	100	70	50	50	20	20	410	40	35	485
29.85			I	(For Each Over-Limit Crab)	20	20	14	10	10	4	4	82	0	0	82
29.85			M	Crabs	250	250	175	125	125	50	50	1025	40	30	1095
29.85			M	(For Each Over-Limit Crab)	20	20	14	10	10	4	4	82	0	0	82
29.86			I	Bay Shrimp (Grass Shrimp)	100	100	70	50	50	20	20	410	40	35	485
29.86			M	Bay Shrimp (Grass Shrimp)	250	250	175	125	125	50	50	1025	40	30	1095
29.87			I	Ghost Shrimp and Blue Mud Shrimp	100	100	70	50	50	20	20	410	40	35	485
29.87			M	Ghost Shrimp and Blue Mud Shrimp	250	250	175	125	125	50	50	1025	40	30	1095
29.88			I	Coonstripe Shrimp	100	100	70	50	50	20	20	410	40	35	485
29.88			M	Coonstripe Shrimp	250	250	175	125	125	50	50	1025	40	30	1095
29.9			I	Spiny Lobsters	100	100	70	50	50	20	20	410	40	35	485
29.9			I	(For Each Over-Limit Lobster)	20	20	14	10	10	4	4	82	0	0	82
29.9			M	Spiny Lobsters	250	250	175	125	125	50	50	1025	40	30	1095
29.9			M	(For Each Over-Limit Lobster)	20	20	14	10	10	4	4	82	0	0	82
29.91	26	24	I	Spiny Lobster Report Card Requirements	100	100	70	50	50	20	20	410	40	35	485
29.91	26	24	M	Spiny Lobster Report Card Requirements	250	250	175	125	125	50	50	1025	40	30	1095
30			I	Kelp-General	100	100	70	50	50	20	20	410	40	35	485
30			M	Kelp-General	250	250	175	125	125	50	50	1025	40	30	1095
30.1			I	Prohibited Marine Plant Species	100	100	70	50	50	20	20	410	40	35	485
30.1			M	Prohibited Marine Plant Species	250	250	175	125	125	50	50	1025	40	30	1095
90	25	23	I	Experimental Fishing Permits	100	100	70	50	50	20	20	410	40	35	485
90	25	23	M	Experimental Fishing Permits	250	250	175	125	125	50	50	1025	40	30	1095
91	25	23	I	Experimental Fishing Permit Program	100	100	70	50	50	20	20	410	40	35	485
91	25	23	M	Experimental Fishing Permit Program	250	250	175	125	125	50	50	1025	40	30	1095

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
100	26	24	M	Abalone–Unlawful Taking for Commercial Purposes	15000	15000	10500	7500	7500	3000	3000	61500	40	30	61570
<b>106-182.1</b>	<b>26</b>	<b>24</b>	<b>I</b>	<b>Violation of Commercial Fishing Regulations</b>	<b>100</b>	<b>100</b>	<b>70</b>	<b>50</b>	<b>50</b>	<b>20</b>	<b>20</b>	<b>410</b>	<b>40</b>	<b>35</b>	<b>485</b>
106-182.1			M	Violation of Commercial Fishing Regulations	200	200	140	100	100	40	40	820	40	30	890
189	25	23	I	Commercial Groundfish Fishing	100	100	70	50	50	20	20	410	40	35	485
189	25	23	M	Commercial Groundfish Fishing	250	250	175	125	125	50	50	1025	40	30	1095
190	25	23	I	Fishing Activity Record	100	100	70	50	50	20	20	410	40	35	485
190	25	23	M	Fishing Activity Record	250	250	175	125	125	50	50	1025	40	30	1095
195	25	23	I	Fishing Logbook for CPFV	100	100	70	50	50	20	20	410	40	35	485
195	25	23	M	Fishing Logbook for CPFV	250	250	175	125	125	50	50	1025	40	30	1095
197	25	23	I	Landing Requirements	100	100	70	50	50	20	20	410	40	35	485
197	25	23	M	Landing Requirements	250	250	175	125	125	50	50	1025	40	30	1095
251			M	Prohibition on Pursuing or Shooting Birds and Mammals from Motor Driven Air or Land Vehicles	200	200	140	100	100	40	40	820	40	30	890
251.7	25	23	I	Possession, Transportation and Importation of Game Birds	100	100	70	50	50	20	20	410	40	35	485
251.7	25	23	M	Possession, Transportation and Importation of Game Birds	250	250	175	125	125	50	50	1025	40	30	1095
257.5	26	24	M	Hunting Over Bait	200	200	140	100	100	40	40	820	40	30	890
257.5	26	24	M	Hunting Over Bait – Trophy Deer, Elk, Antelope, or Big Horn Sheep	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
257.5	26	24	M	Hunting Over Bait – Trophy Turkey	2000	2000	1400	1000	1000	400	400	8200	40	30	8270
300			M	Pheasants–Season and Area	200	200	140	100	100	40	40	820	40	30	890
300			M	(For Each Over-Limit Bird)	20	20	14	10	10	4	4	82	0	0	82
307	26	24	I	Tree Squirrels–Season and Area	100	100	70	50	50	20	20	410	40	35	485
307			I	(For Each Over-Limit Animal)	20	20	14	10	10	4	4	82	0	0	82
307			M	Tree Squirrels–Season and Area	200	200	140	100	100	40	40	820	40	30	890
307			M	(For Each Over-Limit Animal)	20	20	14	10	10	4	4	82	0	0	82
308	25	23	I	Rabbits–Season and Area	100	100	70	50	50	20	20	410	40	35	485

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
308			I	(For Each Over-Limit Animal)	20	20	14	10	10	4	4	82	0	0	82
308	26	24	M	Rabbits–Season and Area	200	200	140	100	100	40	40	820	40	30	890
308			M	(For Each Over-Limit Animal)	20	20	14	10	10	4	4	82	0	0	82
310			M	Shooting Hours–Small Game Animal	200	200	140	100	100	40	40	820	40	30	890
310.5			M	Shooting Hours–Game Birds	200	200	140	100	100	40	40	820	40	30	890
311	25	23	I	Weapons or Methods Authorized	100	100	70	50	50	20	20	410	40	35	485
311	25	23	M	Weapons or Methods Authorized	200	200	140	100	100	40	40	820	40	30	890
313	25	23	I	Upland Game Bird Hunting Violation	100	100	70	50	50	20	20	410	40	35	485
313	25	23	M	Upland Game Bird Hunting Violation	250	250	175	125	125	50	50	1025	40	30	1095
352			M	Shooting Hours–Big Game	200	200	140	100	100	40	40	820	40	30	890
353			M	Methods–Big Game	200	200	140	100	100	40	40	820	40	30	890
360	(a,b)		M	Deer–Season and Area	500	500	350	250	250	100	100	2050	40	30	2120
360	(c)		M	(For Each Over-Limit Deer)	200	200	140	100	100	40	40	820	0	0	820
365	(a,b)		M	Bear–Season and Area	500	500	350	250	250	100	100	2050	40	30	2120
365	(c)		M	(For Each Over-Limit Bear)	250	250	175	125	125	50	50	1025	0	0	1025
365	(e)		M	Method of Take	250	250	175	125	125	50	50	1025	40	30	1095
502	(a)		M	Migratory Waterfowl–Season and Area	200	200	140	100	100	40	40	820	40	30	890
502	(b)		M	(For Each Over-Limit Bird)	20	20	14	10	10	4	4	82	0	0	82
505	25	23	I	Decoys	100	100	70	50	50	20	20	410	40	35	485
505	25	23	M	Decoys	250	250	175	125	125	50	50	1025	40	30	1095
506	(a)		M	Waterfowl–Shooting	200	200	140	100	100	40	40	820	40	30	890
507	25	23	I	Take of Migratory Game Birds	100	100	70	50	50	20	20	410	40	35	485
507	25	23	M	Take of Migratory Game Birds	250	250	175	125	125	50	50	1025	40	30	1095
507.1	25	23	I	Nontoxic Shot Requirement	100	100	70	50	50	20	20	410	40	35	485
507.1	25	23	M	Nontoxic Shot Requirement	250	250	175	125	125	50	50	1025	40	30	1095
507.5	25	23	I	Scull Boats	100	100	70	50	50	20	20	410	40	35	485
507.5	25	23	M	Scull Boats	250	250	175	125	125	50	50	1025	40	30	1095
509	25	23	I	Concurrence with Federal Regulations	100	100	70	50	50	20	20	410	40	35	485
509	25	23	M	Concurrence with Federal Regulations	250	250	175	125	125	50	50	1025	40	30	1095
510	25	23	I	State Duck Stamp Requirement	100	100	70	50	50	20	20	410	40	35	485

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
510	25	23	M	State Duck Stamp Requirement	250	250	175	125	125	50	50	1025	40	30	1095
<b>550</b>			<b>I</b>	<b>Department Lands Use Restrictions</b>	<b>100</b>	<b>100</b>	<b>70</b>	<b>50</b>	<b>50</b>	<b>20</b>	<b>20</b>	<b>410</b>	<b>40</b>	<b>35</b>	<b>485</b>
550			M	Department Lands Use Restrictions	200	200	140	100	100	40	40	820	40	30	890
551	25	23	I	Wildlife Area Use Restrictions	100	100	70	50	50	20	20	410	40	35	485
551	25	23	M	Wildlife Area Use Restrictions	250	250	175	125	125	50	50	1025	40	30	1095
552	25	23	I	National Wildlife Refuge Use Restrictions	100	100	70	50	50	20	20	410	40	35	485
552	25	23	M	National Wildlife Refuge Use Restrictions	250	250	175	125	125	50	50	1025	40	30	1095
630	25	23	I	Ecological Reserves Use Restrictions	100	100	70	50	50	20	20	410	40	35	485
630	25	23	M	Ecological Reserves Use Restrictions	250	250	175	125	125	50	50	1025	40	30	1095
632	25	23	I	Marine Protected Areas and Marine Managed Areas Use Restrictions	100	100	70	50	50	20	20	410	40	35	485
632	25	23	M	Marine Protected Areas and Marine Managed Areas Use Restrictions	250	250	175	125	125	50	50	1025	40	30	1095
650	25	23	I	Scientific Collecting Permits	100	100	70	50	50	20	20	410	40	35	485
650	25	23	M	Scientific Collecting Permits	250	250	175	125	125	50	50	1025	40	30	1095
700	(a)	27	25	M	Fishing License in Possession	100	100	70	50	50	20	410	40	30	480
700	(b)			M	Hunting License in Possession	200	200	140	100	100	40	820	40	30	890
700	(b)			M	Hunting License in Possession–Without Proof of Correction	300	300	210	150	150	60	1230	40	30	1300

**Notes**

<sup>1</sup> Per F&G 12013.3 (a)(6). Per F&G 12002.2(c), "If a person is charged with a violation of Section 7145 or of a regulation requiring a license to be displayed, and produces in court a lifetime sport fishing license issued in his or her name pursuant to Section 7149.2, and if the taking was otherwise lawful, in terms of season, limit, time, and area, the court may dismiss the charge."



**FISH AND GAME BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	

<sup>2</sup> Per F&G 12002(b): "... fine of not more than \$2,000, imprisonment in a county jail for not more than one year, or both the fine and imprisonment."

<sup>3</sup> Per F&G 12013.3(a): "... fine of not less than \$5,000, nor more than \$40,000 ... ."

<sup>4</sup> Per F&G 12013.3(a): "... fine of not less than \$2,000, nor more than \$5,000 ... ."

<sup>5</sup> Per F&G 12002(a): "...fine of not more than \$1,000, imprisonment in a county jail for not more than six months, or by both that fine and imprisonment."

<sup>6</sup> Per F&G 2024 (f)(1): "For a first conviction, where the total value is two hundred fifty dollars (\$250) or more, the offense shall be a misdemeanor punishable by a fine of not less than five thousand dollars (\$5,000) and not more than fifty thousand dollars (\$50,000), imprisonment in the county jail for not more than six months, or by both the fine and imprisonment. (2) For a second or subsequent conviction, the offense shall be a misdemeanor punishable by a fine of not less than ten thousand dollars (\$10,000) and not more than five hundred thousand dollars, (\$500,000), imprisonment in the county jail for not more than six months, or by both the fine and imprisonment."

<sup>7</sup> Per F&G 3004.5 "A person who violates any provision of this section is guilty of an infraction punishable by a fine of \$500." Per F&G 3004.5(f), a second or subsequent offense shall be punished by a fine not less than \$1,000 or more than \$5,000.

<sup>8</sup> Per F&G 12002(c), except as specified in F&G 12001 and 12010: "...a fine of not more than \$5,000."

<sup>9</sup> Per F&G 12002(a): "... punishment for a violation of this code that is a misdemeanor is a fine of not more than \$1,000, imprisonment in the county jail for not more than six months, or by both the fine and imprisonment." Per F&G 12002(b): punishment for a violation of subdivision (b) of Section 4004 is "... a fine of not more than \$2,000, imprisonment in the county jail for not more than one year, or both the fine and imprisonment"

<sup>10</sup> Per F&G 12013.3(a): "fine of not less than \$5,000, nor more than \$40,000."

<sup>11</sup> Per F&G 12003.2: "fine of not more than \$25,000 per unlawful taking, imprisonment in the county jail for the period prescribed in sections 12002 or 12008, or both the fine and imprisonment."

<sup>12</sup> Per F&G 12005(a): "punishment for each violation of Section 4758 shall include both of the following: (1) A fine of \$250 for each bear part. (2) An additional fine of not more than \$5,000, imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or in a county jail for not more than one year, or both that fine and imprisonment."

<sup>13</sup> Per F&G 12005(c)(1), punishment for each violation of section 4758 that includes the possession of three or more bear gall bladders is punishable by both a fine of \$250 for each bear part, as required by F&G 12005(a)(1), and an additional fine of not more than \$10,000 dollars, imprisonment in a county jail for not more than one year, or both that fine and imprisonment. Per F&G 12005(c)(1)(B)(2): "If probation is granted, or execution or imposition of sentence is suspended, it shall be a condition thereof that the minimum term of three months shall be served in a county jail."

<sup>14</sup> Per F&G 12003.1: punishment "... not less than \$250 ... ."

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	

- 15 Per F&G 12009(a): "... except as provided in Section 12006.6, the punishment for a violation of any provision of Section 5521 or 5521.5 ... is a fine of not less than \$15,000 or more than \$40,000 and imprisonment in the county jail for a period not to exceed one year. The court shall permanently revoke any commercial fishing license, commercial fishing permit, or sport fishing license issued by the department." Per F&G 12006.6: "... in addition to Section 12009, and notwithstanding the type of fishing license or permit held, if any person is convicted of a violation of Section 5521 or 5521.5, and the offense occurs in an area closed to the taking of abalone for commercial purposes, and the person takes or possesses more than 12 abalone at one time or takes abalone in excess of the annual bag limit, that person shall be punished by ... A fine of not less than \$15,000 or more than \$40,000."
- 16 Per F&G 12023: "... punishable by all of the following: (1) Imprisonment in the county jail for not less than six months or more than one year, a fine of not more than \$50,000 for each violation, or both that imprisonment and fine ... ."
- 17 Per F&G 12009(a): "... except as provided in Section 12006.6, the punishment for a violation ... of Section 7121, involving abalone, is a fine of not less than \$15,000 or more than \$40,000 and imprisonment in the county jail for a period not to exceed one year. The court shall permanently revoke any commercial fishing license, commercial fishing permit, or, sport fishing license issued by the department." Per F&G 12006.6: "... in addition to Section 12009, and notwithstanding the type of fishing license or permit held, if any person is convicted of a violation of Section 5521 or 5521.5, and the offense occurs in an area closed to the taking of abalone for commercial purposes, and the person takes or possesses more than 12 abalone at one time or more than 100 abalone during a calendar year, that person shall be punished by ... A fine of not less than \$15,000 or more than \$40,000."
- 18 Per F&G 12002.2(a): "... fine of not less than \$100 or more than \$1,000 for a first offense. If a person is convicted of a violation of Section 7145 or of a regulation requiring a license to be displayed within five years of a separate offense resulting in a conviction of a violation of Section 7145 or of a regulation requiring a license to be displayed, that person shall be punished by a fine of not less than two hundred fifty dollars (\$250) or more than one thousand dollars (\$1,000) ." Per F&G 12002.2(b), a court may reduce the fine for conviction to \$25 with proof of a license valid at time of arrest. Per F&G 12002.2(c), "If a person is charged with a violation of Section 7145 or of a regulation requiring a license to be displayed, and produces in court a lifetime sport fishing license issued in his or her name pursuant to Section 7149.2, and if the taking was otherwise lawful, in terms of season, limit, time, and area, the court may dismiss the charge."
- 19 Per F&G 7863, the section shall remain in effect until 1/1/19.
- 20 Per F&G 12003.1(a): "... not less than \$500 and imprisonment in county jail for not less than 30 days for a second subsequent violation."
- 21 Per F&G 12012(a): "... fine of not less than \$5,000, nor more than \$40,000 ... ." Per F&G 12012 (b), "If a person is convicted of a second or subsequent violation of subdivision (a), that person shall be punished by a fine of not less than ten thousand dollars (\$10,000) nor more than fifty thousand dollars (\$50,000), or imprisonment in the county jail for not more than one year, or by both that fine and imprisonment."
- 22 Per F&G 12013.5(a): "fine of \$10,000 per bear part."
- 23 Per F&G 12000(b): "... infraction punishable by a fine of not less than \$100 and not to exceed \$1,000 ... ."

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	

<sup>24</sup> Per F&G Code section 12000, “(a) Except as expressly provided otherwise in this code, any violation of this code, or of any rule, regulation, or order made or adopted under this code, is a misdemeanor. (b) Notwithstanding subdivision (a), a person who violates any of the following statutes or regulations is guilty of an infraction punishable by a fine of not less than one hundred dollars (\$100) and not to exceed one thousand dollars (\$1,000), or of a misdemeanor: (1) Section 2009. (2) Section 2353. (3) Sections 5508 and 5509. (4) Section 5652. (5) Subdivision (a) of Section 6596.1. (6) Section 7149.8. (7) Sections 7850, 7852.27, 7856, 7857, 7880, 7881, 7920, 7923, 8026, 8030 to 8036, inclusive, 8043 to 8050, inclusive, 8257, 9001, 9003, and 9004. (8) Sections 1.14, 1.17, 1.62, 1.63, and 1.74 of Title 14 of the California Code of Regulations. (9) Sections 2.00 to 5.95, inclusive, and 7.00 to 8.00, inclusive, of Title 14 of the California Code of Regulations. (10) Sections 27.56 to 30.10, inclusive, of Title 14 of the California Code of Regulations. (11) Sections 40 to 43, inclusive, of Title 14 of the California Code of Regulations. (12) Sections 90, 91, 107, 123, 132.1, 176, 180, 180.2, 180.4, 180.5, 180.6, 182, 189, 190, 195, and 197 of Title 14 of the California Code of Regulations. (13) Subdivision (e) of Section 150.16 of Title 14 of the California Code of Regulations. (14) Section 251.7 of Title 14 of the California Code of Regulations. (15) Sections 307, 308, and 311 to 313, inclusive, of Title 14 of the California Code of Regulations. (16) Sections 505, 507 to 510, inclusive, and 550 to 552, inclusive, of Title 14 of the California Code of Regulations. (17) Section 630 of Title 14 of the California Code of Regulations. (18) Section 632 of Title 14 of the California Code of Regulations, except if either of the following apply: (A) The person who violates the regulation holds a commercial fishing license issued pursuant to Article 3 (commencing with Section 7850) of Chapter 1 of Part 3 of Division 6 or the person who violates the regulation is operating a boat or vessel licensed pursuant to Article 5 (commencing with Section 7920) of Chapter 1 of Part 3 of Division 6 at the time of the violation. Except as provided in Section 12012.5, a person described in this subparagraph who violates Section 632 of Title 14 of the California Code of Regulations is guilty of a misdemeanor punishable pursuant to Section 12002. (B) The violation of the regulation occurred within two years of a prior violation of the regulation that resulted in a conviction. (19) Section 650 of Title 14 of the California Code of

<sup>25</sup> Per F&G 12002.2(b), a court may reduce the fine for conviction to \$25 with proof of a license valid at time of arrest. Per F&G 12002.2(c), “If a person is charged with a violation of Section 7145 or of a regulation requiring a license to be displayed, and produces in court a lifetime sport fishing license issued in his or her name pursuant to Section 7149.2, and if the taking was otherwise lawful, in terms of season, limit, time, and area, the court may dismiss the charge.”

**FISH AND GAME BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)

Section	Notes	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
						<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	

<sup>26</sup> Per F&G 12000(b): " ... infraction punishable by a fine of not less than \$100 and not to exceed \$1,000 ... ." FGC 12012.5: (a) ...a person who holds a commercial fishing license ...or is operating a commercial passenger fishing boat licensed ... for commercial purposes, either unlawfully takes a fish... within a marine protected area, as defined in Section 2852, or engages in, or knowingly facilitates another person's, fishing activity within the marine protected area, is guilty of a misdemeanor punishable by a fine of not less than five thousand dollars (\$5,000) nor more than forty thousand dollars (\$40,000), or imprisonment in the county jail for not more than one year, or by both that fine and imprisonment. (b) If a person is convicted of a second or subsequent violation that is punishable pursuant to subdivision (a) and the violation occurred within 10 years of a prior violation that is punishable pursuant to subdivision (a) that resulted in a conviction ... that person shall be punished by a fine of not less than ten thousand dollars (\$10,000) nor more than fifty thousand dollars (\$50,000), or imprisonment in the county jail for not more than one year, or by both that fine and imprisonment. (d) Notwithstanding Section 802 of the Penal Code, prosecution of an offense punishable under this section shall be commenced within three years after commission of the offense.

**PUBLIC UTILITIES BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**  
**(Public Utilities Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>30</b>	
1038.5		M	Identification of Equipment, Passenger Stage Corporations	200	200	140	100	100	40	40	820	40	30	890
4669		M	Failure to Secure Liability Insurance Protection by For-Hire Vessel Operator	450	450	315	225	225	90	90	1845	40	30	1915
5371		M	Operations as a Charter-Party Carrier Without Certificate or Permit	450	450	315	225	225	90	90	1845	40	30	1915
5385		M	Identification of Equipment, Charter-Party Carrier of Passengers	200	200	140	100	100	40	40	820	40	30	890
5386		M	Advertising as a Charter-Party Carrier of Passengers Without Stating Identification Symbol	450	450	315	225	225	90	90	1845	40	30	1915
5386.5		M	Charter-Party Carrier of Passengers Advertising Its Services as a Taxicab	450	450	315	225	225	90	90	1845	40	30	1915
5387	(a)	M	Charter-Party Carrier Operating Without Permit, Vehicle Identification, and Accident Liability Protection	450	450	315	225	225	90	90	1845	40	30	1915
5411		<sup>4</sup> M	Violation of Charter-Party Carrier Order, Decision, Rule, Regulation, Direction, Demand, Requirement, or Operating Permit or Certificate	1000	1000	700	500	500	200	200	4100	40	30	4170
5411.3		<sup>5</sup> M	Display of Improper Vehicle Identifying Symbol	750	750	525	375	375	150	150	3075	40	30	3145
5412		<sup>6</sup> M	Violation of Charter-Party Carrier Order, Decision, Rule, Regulation, Direction, Demand, Requirement, or Operating Permit or Certificate by Corporation or Person	450	450	315	225	225	90	90	1845	40	30	1915
5412.2	(a)	M	Operating as a Charter-Party Carrier of Passengers or Taxicab Without Valid Certificate/Permit	750	750	525	375	375	150	150	3075	40	30	3145

**PUBLIC UTILITIES BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**  
**(Public Utilities Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>30</b>	
5414.5		M	Advertising as a Charter-Party Carrier of Passengers Without Certificate or Permit	450	450	315	225	225	90	90	1845	40	30	1915
5513	(a)	M	Failure to Secure Required Liability Insurance Protection by Hot Air Balloon Operator	450	450	315	225	225	90	90	1845	40	30	1915
5513	(b)	M	Operating as a Hot Air Balloon Operator Without a Local Permit When Required	1000	1000	700	500	500	200	200	4100	40	30	4170
99170	(a)(1)	<sup>7</sup> I	Operation of or Interference with a Transit District's Vehicles	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(2)	<sup>7</sup> I	Interference with Transit Operator	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(3)	<sup>7</sup> I	Extending Body from Transit District's Vehicles	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(4)	<sup>7</sup> I	Throwing Objects from Transit District's Vehicle	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(5)	<sup>7</sup> I	Behavior Causing Injury to Person or Property	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(6)	<sup>7</sup> I	Violating Safety or Security Instruction	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(7)	<sup>7</sup> I	Providing False Information to Transit District Employee or Obstructing Issuance of Citation	35	40	28	20	20	7	8	158	40	35	233
99170	(a)(8)	<sup>7</sup> I	Violating Rules Regarding Boarding Transit Vehicles with Bicycles	35	40	28	20	20	7	8	158	40	35	233

**Notes**

<sup>1</sup> Per PU 5311(b): " ... fine of not more than \$10,000 ... ."

<sup>2</sup> Per PU 5311(a): " ... fine of not more than \$2,500... ."

<sup>3</sup> Per PU 5311(a): "for a willful violation ... fine of not more than \$10,000 ... ."

**PUBLIC UTILITIES BAIL AND PENALTY SCHEDULE**  
**(\*See Preface, Section III) (\*\*See Preface, Section IV)**  
**(Public Utilities Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>30</b>

<sup>4</sup> Per PU 5411: "... fine of not less than \$1,000 and not more than \$5,000 ... ."

<sup>5</sup> Per PU 5411.3: "... fine of not more than \$2,500 ... ."

<sup>6</sup> Per PU 5412: "... fine of not more than \$2,000 ... ."

<sup>7</sup> Per PUC section 99170 "(a) A person shall not do [1-8] with respect to the property, facilities, or vehicles of a transit district: district or the property, facilities, or vehicles upon which the San Francisco Bay Area Rapid Transit District owes policing responsibilities to a local government pursuant to an operations and maintenance agreement or similar interagency agreement." Per 99170 (c) A violation of this section is an infraction under Section 19.8 of the Penal Code punishable by a fine not exceeding seventy-five dollars (\$75), and a violation by a person after a second conviction is punishable by a fine not exceeding two hundred fifty dollars (\$250) or by community service that does not conflict with the violator's hours of school attendance or employment for a total time not to exceed 48 hours over a period not to exceed 60 days.

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4302		I	Payment of Fee for Use of Facilities Required	35	40	28	20	20	7	8	158	40	35	233
4302		M	Payment of Fee for Use of Facilities Required	75	80	56	40	40	15	16	322	40	30	392
4304		I	No Aircraft Landing or Takeoff Without Authorization	100	100	70	50	50	20	20	410	40	35	485
4304		M	No Aircraft Landing or Takeoff Without Authorization	250	250	175	125	125	50	50	1025	40	30	1095
4305	(a)	I	No Hunting or Fishing in a State Park	50	50	35	25	25	10	10	205	40	35	280
4305	(a)	M	No Hunting or Fishing in a State Park	250	250	175	125	125	50	50	1025	40	30	1095
4305	(b)	I	No Taking, Killing, or Injuring Wildlife in a State Park	100	100	70	50	50	20	20	410	40	35	485
4305	(b)	M	No Taking, Killing, or Injuring Wildlife in a State Park	250	250	175	125	125	50	50	1025	40	30	1095
4305	(e)	I	No Feeding of Posted Wildlife	50	50	35	25	25	10	10	205	40	35	280
4305	(e)	M	No Feeding of Posted Wildlife	75	80	56	40	40	15	16	322	40	30	392
4306		I	No Collecting/Destroying Vegetation in a State Park	50	50	35	25	25	10	10	205	40	35	280
4306		M	No Collecting/Destroying Vegetation in a State Park	100	100	70	50	50	20	20	410	40	30	480
4307		I	No Destruction of Geological Features in a State Park + Damages	50	50	35	25	25	10	10	205	40	35	280
4307		M	No Destruction of Geological Features in a State Park + Damages	100	100	70	50	50	20	20	410	40	30	480
4308		I	No Destruction of Archaeological Features in a State Park + Damages	100	100	70	50	50	20	20	410	40	35	485
4308		M	No Destruction of Archaeological Features in a State Park + Damages	250	250	175	125	125	50	50	1025	40	30	1095
4310		I	No Littering in a State Park	50	50	35	25	25	10	10	205	40	35	280
4310		<sup>1</sup> M	No Littering in a State Park	100	100	70	50	50	20	20	410	40	30	480
4311	(a)	I	No Fires Except in Appropriate Stove/Fireplaces	50	50	35	25	25	10	10	205	40	35	280
4311	(a)	M	No Fires Except in Appropriate Stove/Fireplaces	100	100	70	50	50	20	20	410	40	30	480
4311	(b)	I	No Unsafe Fires	100	100	70	50	50	20	20	410	40	35	485
4311	(b)	M	No Unsafe Fires	500	500	350	250	250	100	100	2050	40	30	2120



**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4311	(c)	I	No Fire or Smoking Where Posted	100	100	70	50	50	20	20	410	40	35	485
4311	(c)	M	No Fire or Smoking Where Posted	250	250	175	125	125	50	50	1025	40	30	1095
4312	(a,b,d )	I	No Dog or Animal Running Loose	35	40	28	20	20	7	8	158	40	35	233
4312	(a,b,d )	M	No Dog or Animal Running Loose	75	80	56	40	40	15	16	322	40	30	392
4312	(c)	I	Keeping Noisy, Vicious, or Dangerous Dogs or Animals	100	100	70	50	50	20	20	410	40	35	485
4312	(c)	M	Keeping Noisy, Vicious, or Dangerous Dogs or Animals	250	250	175	125	125	50	50	1025	40	30	1095
4312	(e)	I	No Dogs or Cats in Area Unless on a Leash	50	50	35	25	25	10	10	205	40	35	280
4312	(e)	M	No Dogs or Cats in Area Unless on a Leash	100	100	70	50	50	20	20	410	40	30	480
4312	(f)	I	No Animals in a Unit Except Under Control	35	40	28	20	20	7	8	158	40	35	233
4312	(f)	M	No Animals in a Unit Except Under Control	75	80	56	40	40	15	16	322	40	30	392
4312	(h)	I	No Grazing Without Authorization + \$30 Per Head	50	50	35	25	25	10	10	205	40	35	280
4312	(h)	M	No Grazing Without Authorization + \$30 Per Head	100	100	70	50	50	20	20	410	40	30	480
4313		I	No Weapons or Traps Except Where Authorized	100	100	70	50	50	20	20	410	40	35	485
4313		M	No Weapons or Traps Except Where Authorized	250	250	175	125	125	50	50	1025	40	30	1095
4314		I	No Fireworks Allowed	50	50	35	25	25	10	10	205	40	35	280
4314		M	No Fireworks Allowed	100	100	70	50	50	20	20	410	40	30	480
4316		I	No Photography/Filming for Commercial Purposes Without Authorization	100	100	70	50	50	20	20	410	40	35	485
4316		M	No Photography/Filming for Commercial Purposes Without Authorization	500	500	350	250	250	100	100	2050	40	30	2120
4317		I	No Juvenile Shall Violate Posted Curfew Hours	35	40	28	20	20	7	8	158	40	35	233
4317		M	No Juvenile Shall Violate Posted Curfew Hours	75	80	56	40	40	15	16	322	40	30	392
4318		I	No Loitering About Park Restrooms, Showers, etc.	100	100	70	50	50	20	20	410	40	35	485
4318		M	No Loitering About Park Restrooms, Showers, etc.	250	250	175	125	125	50	50	1025	40	30	1095

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4319		I	No Dangerous Recreational Activities	35	40	28	20	20	7	8	158	40	35	233
4319		M	No Dangerous Recreational Activities	75	80	56	40	40	15	16	322	40	30	392
4320	(a)	I	Observation of Quiet Hours Required	50	50	35	25	25	10	10	205	40	35	280
4320	(a)	M	Observation of Quiet Hours Required	100	100	70	50	50	20	20	410	40	30	480
4320	(b)	I	No Outside Machinery Operated Without Permission	50	50	35	25	25	10	10	205	40	35	280
4320	(b)	M	No Outside Machinery Operated Without Permission	100	100	70	50	50	20	20	410	40	30	480
4320	(c)	I	No Noisy Disturbance During Specified Hours	35	40	28	20	20	7	8	158	40	35	233
4320	(c)	M	No Noisy Disturbance During Specified Hours	75	80	56	40	40	15	16	322	40	30	392
4321		I	Restrictions on Assembly	50	50	35	25	25	10	10	205	40	35	280
4321		M	Restrictions on Assembly	100	100	70	50	50	20	20	410	40	30	480
4322		I	No Nudity Except Where Authorized	50	50	35	25	25	10	10	205	40	35	280
4322		M	No Nudity Except Where Authorized	100	100	70	50	50	20	20	410	40	30	480
4323	(a)	I	Restrictions on Recreational Equipment	35	40	28	20	20	7	8	158	40	35	233
4323	(a)	M	Restrictions on Recreational Equipment	75	80	56	40	40	15	16	322	40	30	392
4323	(b)	I	Restrictions on Food Storage	50	50	35	25	25	10	10	205	40	35	280
4323	(b)	M	Restrictions on Food Storage	100	100	70	50	50	20	20	410	40	30	480
4323	(c)	I	Restrictions on Tents on Beaches	35	40	28	20	20	7	8	158	40	35	233
4323	(c)	M	Restrictions on Tents on Beaches	75	80	56	40	40	15	16	322	40	30	392
4324	(a-c)	I	Requirements for Sanitation	50	50	35	25	25	10	10	205	40	35	280
4324	(a-c)	M	Requirements for Sanitation	100	100	70	50	50	20	20	410	40	30	480
4326		I	Violation of Posted Orders/Special Permits Prohibited	50	50	35	25	25	10	10	205	40	35	280
4326		M	Violation of Posted Orders/Special Permits Prohibited	100	100	70	50	50	20	20	410	40	30	480
4330		I	Restrictions for Use of Pesticides	100	100	70	50	50	20	20	410	40	35	485
4330		M	Restrictions for Use of Pesticides	500	500	350	250	250	100	100	2050	40	30	2120
4331		I	No Soliciting Without Authorization	50	50	35	25	25	10	10	205	40	35	280
4331		M	No Soliciting Without Authorization	100	100	70	50	50	20	20	410	40	30	480
4333		I	Restriction of Glass Containers Except as Authorized	50	50	35	25	25	10	10	205	40	35	280

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>0</b>		
4333		M	Restriction of Glass Containers Except as Authorized	100	100	70	50	50	20	20	410	40	30	480
4351		I	Restrictions in State Wilderness/Natural Preserves	100	100	70	50	50	20	20	410	40	35	485
4351		M	Restrictions in State Wilderness/Natural Preserves	500	500	350	250	250	100	100	2050	40	30	2120
4352		I	No Off-Highway Vehicles/Snowmobiles Unless Authorized	50	50	35	25	25	10	10	205	40	35	280
4352		M	No Off-Highway Vehicles/Snowmobiles Unless Authorized	100	100	70	50	50	20	20	410	40	30	480
4353		I	No Violations of Posted Speed Limits				[See Speed Chart]							
4353		M	No Violations of Posted Speed Limits				[See Speed Chart]							
4354		I	No Vehicle Operations That Endanger Persons/Animals	50	50	35	25	25	10	10	205	40	35	280
4354		M	No Vehicle Operations That Endanger Persons/Animals	100	100	70	50	50	20	20	410	40	30	480
4355		I	Restrictions on Vehicle Operation	50	50	35	25	25	10	10	205	40	35	280
4355		M	Restrictions on Vehicle Operation	75	80	56	40	40	15	16	322	40	30	392
4357		I	License Requirements to Operate Vehicle	50	50	35	25	25	10	10	205	40	35	280
4357		M	License Requirements to Operate Vehicle	75	80	56	40	40	15	16	322	40	30	392
4359	(b)	I	No Horses/Pack Animals Except in Designated Areas	50	50	35	25	25	10	10	205	40	35	280
4359	(b)	M	No Horses/Pack Animals Except in Designated Areas	75	80	56	40	40	15	16	322	40	30	392
4359	(c)	I	No Riding Horses/Pack Animals in Reckless Manner	50	50	35	25	25	10	10	205	40	35	280
4359	(c)	M	No Riding Horses/Pack Animals in Reckless Manner	100	100	70	50	50	20	20	410	40	30	480
4359	(e)	I	Gate Requirements When Riding	35	40	28	20	20	7	8	158	40	35	233
4359	(e)	M	Gate Requirements When Riding	75	80	56	40	40	15	16	322	40	30	392
4360		I	Regulations for Operation of Bicycles	50	50	35	25	25	10	10	205	40	35	280
4360		M	Regulations for Operation of Bicycles	75	80	56	40	40	15	16	322	40	30	392

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4451	(a)	I	Camping in Designated Areas Only	35	40	28	20	20	7	8	158	40	35	233
4451	(a)	M	Camping in Designated Areas Only	75	80	56	40	40	15	16	322	40	30	392
4452		I	Limits on Number Occupying Camp Sites; per Extra	35	40	28	20	20	7	8	158	40	35	233
4452		M	Limits on Number Occupying Camp Sites; per Extra	75	80	56	40	40	15	16	322	40	30	392
4453		I	Camping Fees Due at Certain Times	35	40	28	20	20	7	8	158	40	35	233
4453		M	Camping Fees Due at Certain Times	75	80	56	40	40	15	16	322	40	30	392
4454		I	Occupancy Authorized Only After Fees Are Paid	35	40	28	20	20	7	8	158	40	35	233
4454		M	Occupancy Authorized Only After Fees Are Paid	75	80	56	40	40	15	16	322	40	30	392
4455		I	Camping Time Limits–Days per Year	35	40	28	20	20	7	8	158	40	35	233
4455		M	Camping Time Limits–Days per Year	75	80	56	40	40	15	16	322	40	30	392
4456		I	Vacating Campsite Requirements	35	40	28	20	20	7	8	158	40	35	233
4456		M	Vacating Campsite Requirements	75	80	56	40	40	15	16	322	40	30	392
4457		I	No Camping in Day-Use Areas Unless Authorized	35	40	28	20	20	7	8	158	40	35	233
4457		M	No Camping in Day-Use Areas Unless Authorized	75	80	56	40	40	15	16	322	40	30	392
4458		I	Nighttime Closure Requirements	50	50	35	25	25	10	10	205	40	35	280
4458		M	Nighttime Closure Requirements	100	100	70	50	50	20	20	410	40	30	480
4501	(a)	I	Hunting Requirements–Picacho State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(a)	M	Hunting Requirements–Picacho State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(b)	I	Hunting Requirements–Auburn State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(b)	M	Hunting Requirements–Auburn State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095
4501	(c)	I	Hunting Requirements–San Luis Reservoir State Recreational Area	100	100	70	50	50	20	20	410	40	35	485
4501	(c)	M	Hunting Requirements–San Luis Reservoir State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA	PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
					<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4501	(d)	I	Hunting Requirements–Providence Mountain State Recreational Area	100	100	70	50	50	20	20	410	40	35	485	
4501	(d)	M	Hunting Requirements–Providence Mountain State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095	
4501	(e)	I	Hunting Requirements–Lake Oroville State Recreational Area	100	100	70	50	50	20	20	410	40	35	485	
4501	(e)	M	Hunting Requirements–Lake Oroville State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095	
4501	(f)	I	Hunting Requirements–Lake Perris State Recreational Area	100	100	70	50	50	20	20	410	40	35	485	
4501	(f)	M	Hunting Requirements–Lake Perris State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095	
4501	(g)	I	Hunting Requirements–Harry A. Merlo State Recreation Area	100	100	70	50	50	20	20	410	40	35	485	
4501	(g)	M	Hunting Requirements–Harry A. Merlo State Recreation Area	250	250	175	125	125	50	50	1025	40	30	1095	
4501	(h)	I	Hunting Requirements–Franks Tract State Recreational Area	100	100	70	50	50	20	20	410	40	35	485	
4501	(h)	M	Hunting Requirements–Franks Tract State Recreational Area	250	250	175	125	125	50	50	1025	40	30	1095	
4600	(a)	I	Restrictions–San Simeon Historical Monument–Tours	35	40	28	20	20	7	8	158	40	35	233	
4600	(a)	M	Restrictions–San Simeon Historical Monument–Tours	75	80	56	40	40	15	16	322	40	30	392	
4600	(b)	I	Restrictions–San Simeon Historical Monument–Objects + Damages	35	40	28	20	20	7	8	158	40	35	233	
4600	(b)	M	Restrictions–San Simeon Historical Monument–Objects + Damages	75	80	56	40	40	15	16	322	40	30	392	
4600	(c)	I	Restrictions–San Simeon Historical Monument–Food + Damages	35	40	28	20	20	7	8	158	40	35	233	
4600	(c)	M	Restrictions–San Simeon Historical Monument–Food + Damages	75	80	56	40	40	15	16	322	40	30	392	

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA	PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
					<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4600	(d)	I	Restrictions–San Simeon Historical Monument–Cameras	35	40	28		20	20	7	8	158	40	35	233
4600	(d)	M	Restrictions–San Simeon Historical Monument–Cameras	75	80	56		40	40	15	16	322	40	30	392
4601	(a)	I	Restrictions–Torrey Pines, Point Lobos State Reserves, and Penasquitos Marsh Natural State Recreational Areas–Picnics	35	40	28		20	20	7	8	158	40	35	233
4601	(a)	M	Restrictions–Torrey Pines, Point Lobos State Reserves, and Penasquitos Marsh Natural State Recreational Areas–Picnics	75	80	56		40	40	15	16	322	40	30	392
4601	(b)	I	Restrictions–Torrey Pines, Point Lobos State Reserves, and Penasquitos Marsh Natural State Recreational Areas–Designated Trails	35	40	28		20	20	7	8	158	40	35	233
4601	(b)	M	Restrictions–Torrey Pines, Point Lobos State Reserves, and Penasquitos Marsh Natural State Recreational Areas–Designated Trails	75	80	56		40	40	15	16	322	40	30	392
4603	(a)	I	Restrictions–Angel Island State Park– Boat Docking	100	100	70		50	50	20	20	410	40	35	485
4603	(a)	M	Restrictions–Angel Island State Park–Boat Docking	250	250	175		125	125	50	50	1025	40	30	1095
4604		I	Restrictions–Carrizo Impact Area	100	100	70		50	50	20	20	410	40	35	485
4604		M	Restrictions–Carrizo Impact Area	500	500	350		250	250	100	100	2050	40	30	2120
4608		I	Restrictions–Mt. San Jacinto State Wilderness	50	50	35		25	25	10	10	205	40	35	280
4608		M	Restrictions–Mt. San Jacinto State Wilderness	100	100	70		50	50	20	20	410	40	30	480
4609	(b)	I	Restrictions–Pismo Dunes State Vehicular Recreational Area–Towing	50	50	35		25	25	10	10	205	40	35	280
4609	(b)	M	Restrictions–Pismo Dunes State Vehicular Recreational Area–Towing	100	100	70		50	50	20	20	410	40	30	480
4609	(b)(3)	I	Restrictions–Pismo Dunes–Off-Highway Vehicles	50	50	35		25	25	10	10	205	40	35	280
4609	(b)(3)	M	Restrictions–Pismo Dunes–Off-Highway Vehicles	100	100	70		50	50	20	20	410	40	30	480

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA	PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
					<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4609	(b)(4)	I	Restrictions–Pismo Dunes–Safety Equipment	50	50	35		25	25	10	10	205	40	35	280
4609	(b)(4)	M	Restrictions–Pismo Dunes–Safety Equipment	100	100	70		50	50	20	20	410	40	30	480
4610	(a)	I	Unlicensed Driver Off-Highway Requirements	50	50	35		25	25	10	10	205	40	35	280
4610	(a)	M	Unlicensed Driver Off-Highway Requirements	100	100	70		50	50	20	20	410	40	30	480
4610	(b)	I	Unlicensed Driver Off-Highway Capabilities	50	50	35		25	25	10	10	205	40	35	280
4610	(b)	M	Unlicensed Driver Off-Highway Capabilities	100	100	70		50	50	20	20	410	40	30	480
4611	(c)	I	Rockhounding–Commercial Restrictions	50	50	35		25	25	10	10	205	40	35	280
4611	(c)	M	Rockhounding–Commercial Restrictions	100	100	70		50	50	20	20	410	40	30	480
4611	(d)	I	Rockhounding–Maximum Take Allowed 15 Pounds per Day	50	50	35		25	25	10	10	205	40	35	280
4611	(d)	M	Rockhounding–Maximum Take Allowed 15 Pounds per Day	100	100	70		50	50	20	20	410	40	30	480
4611	(e)	I	Rockhounding–Use of Tools	50	50	35		25	25	10	10	205	40	35	280
4611	(e)	M	Rockhounding–Use of Tools	100	100	70		50	50	20	20	410	40	30	480
4611	(f)	I	Rockhounding–Prohibited in Swimming/Boating Areas	50	50	35		25	25	10	10	205	40	35	280
4611	(f)	M	Rockhounding–Prohibited in Swimming/Boating Areas	100	100	70		50	50	20	20	410	40	30	480
4611	(g)	I	Rockhounding–Areas for Collecting Limited	50	50	35		25	25	10	10	205	40	35	280
4611	(g)	M	Rockhounding–Areas for Collecting Limited	100	100	70		50	50	20	20	410	40	30	480
4611	(h)	I	Rockhounding–Indian Artifact Removal Prohibited	50	50	35		25	25	10	10	205	40	35	280
4611	(h)	M	Rockhounding–Indian Artifact Removal Prohibited	100	100	70		50	50	20	20	410	40	30	480
4611	(i)	I	Rockhounding–Panning for Gold	50	50	35		25	25	10	10	205	40	35	280
4611	(i)	M	Rockhounding–Panning for Gold	100	100	70		50	50	20	20	410	40	30	480
4612		I	Restrictions–Crystal Cove Historic District	100	100	70		50	50	20	20	410	40	35	485
4612		M	Restrictions–Crystal Cove Historic District	500	500	350		250	250	100	100	2050	40	30	2120
4613	(a)	I	Restrictions–CA State Railroad Museum–Capacities	35	40	28		20	20	7	8	158	40	35	233
4613	(a)	M	Restrictions–CA State Railroad Museum–Capacities	75	80	56		40	40	15	16	322	40	30	392
4613	(b)	I	Restrictions–CA State Railroad Museum–Photography	35	40	28		20	20	7	8	158	40	35	233

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA	PA*	Court PA*/10	Surcharge*	EMS PA*/ 10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
					<b>10/10</b>	<b>7</b>		<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4613	(b)	M	Restrictions–CA State Railroad Museum–Photography	75	80	56		40	40	15	16	322	40	30	392
4613	(c)	I	Restrictions–CA State Railroad Museum–Artifacts + Damages	35	40	28		20	20	7	8	158	40	35	233
4613	(c)	M	Restrictions–CA State Railroad Museum–Artifacts + Damages	75	80	56		40	40	15	16	322	40	30	392
4613	(d)	I	Restrictions–CA State Railroad Museum–Climbing + Damages	35	40	28		20	20	7	8	158	40	35	233
4613	(d)	M	Restrictions–CA State Railroad Museum–Climbing + Damages	75	80	56		40	40	15	16	322	40	30	392
4613	(e)	I	Restrictions–CA State Railroad Museum–Food/Drink + Damages	35	40	28		20	20	7	8	158	40	35	233
4613	(e)	M	Restrictions–CA State Railroad Museum–Food/Drink + Damages	75	80	56		40	40	15	16	322	40	30	392
4650		I	No Swimming Except in Designated Areas	50	50	35		25	25	10	10	205	40	35	280
4650		M	No Swimming Except in Designated Areas	100	100	70		50	50	20	20	410	40	30	480
4651		I	No Boating/Water Skiing in Designated Swimming Areas	100	100	70		50	50	20	20	410	40	35	485
4651		M	No Boating/Water Skiing in Designated Swimming Areas	500	500	350		250	250	100	100	2050	40	30	2120
4656		I	No Diving Allowed	50	50	35		25	25	10	10	205	40	35	280
4656		M	No Diving Allowed	100	100	70		50	50	20	20	410	40	30	480
4657		I	No Boat Launching Where Posted	50	50	35		25	25	10	10	205	40	35	280
4657		M	No Boat Launching Where Posted	100	100	70		50	50	20	20	410	40	30	480
4658		I	No Exceeding Posted Speed Limits in Boats	50	50	35		25	25	10	10	205	40	35	280
4658		M	No Exceeding Posted Speed Limits in Boats	100	100	70		50	50	20	20	410	40	30	480
4659		I	Speed Restrictions for Nighttime Boat Operation	50	50	35		25	25	10	10	205	40	35	280
4659		M	Speed Restrictions for Nighttime Boat Operation	100	100	70		50	50	20	20	410	40	30	480
4660	(a)	I	Vessel Overnight Stay Prohibited Except Where Permitted	50	50	35		25	25	10	10	205	40	35	280
4660	(a)	M	Vessel Overnight Stay Prohibited Except Where Permitted	100	100	70		50	50	20	20	410	40	30	480



**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(California Code of Regulations, Title 14)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
4660	(b)	I	Vessel Restrictions Apply if Posted	50	50	35	25	25	10	10	205	40	35	280
4660	(b)	M	Vessel Restrictions Apply if Posted	100	100	70	50	50	20	20	410	40	30	480
4660	(c)	I	Abandoned Vessels Must Be Removed by Registered Owner of Notification	50	50	35	25	25	10	10	205	40	35	280
4660	(c)	M	Abandoned Vessels Must Be Removed by Registered Owner of Notification	100	100	70	50	50	20	20	410	40	30	480
4661		I	Restrictions for Disposal of Waste From Boats	50	50	35	25	25	10	10	205	40	35	280
4661		M	Restrictions for Disposal of Waste From Boats	100	100	70	50	50	20	20	410	40	30	480
4662	(a)	I	Vessel Inspection Requirements–Any Time	50	50	35	25	25	10	10	205	40	35	280
4662	(a)	M	Vessel Inspection Requirements–Any Time	100	100	70	50	50	20	20	410	40	30	480
4662	(b)	I	Vessel Inspection Requirements–Continued Use	35	40	28	20	20	7	8	158	40	35	233
4662	(b)	M	Vessel Inspection Requirements–Continued Use	75	80	56	40	40	15	16	322	40	30	392
4664	(a)	I	Restrictions on Underwater Activities–Entry Areas	35	40	28	20	20	7	8	158	40	35	233
4664	(a)	M	Restrictions on Underwater Activities–Entry Areas	75	80	56	40	40	15	16	322	40	30	392
4700		I	Requirements for Runaway Snow Skis	35	40	28	20	20	7	8	158	40	35	233
4700		M	Requirements for Runaway Snow Skis	75	80	56	40	40	15	16	322	40	30	392
4701		I	Winter Sports Allowed Only in Designated Areas	50	50	35	25	25	10	10	205	40	35	280
4701		M	Winter Sports Allowed Only in Designated Areas	100	100	70	50	50	20	20	410	40	30	480

**Notes**

<sup>1</sup> Per PR 5008.7: fine of "not less than \$100 nor more than \$1,000" for violation of any rule or regulation adopted by the Department of Parks and Recreation prohibiting the leaving, depositing, dropping, or scattering of bottles, broken glass, ashes, wastepaper, cans, or other rubbish in a state park.

**PARKS AND RECREATION BAIL AND PENALTY SCHEDULE**  
 (\*See Preface, Section III) (\*\*See Preface, Section IV)  
 (California Code of Regulations, Title 14)

***SPEED CHART***  
***(FOR ALL SPEED LIMITS)***

<b>MPH Over Limit</b>	<b>Base Fine</b>	<b>State PA*</b>	<b>County PA*/10</b>	<b>DNA PA*</b>	<b>Court Facility Const. PA*/10</b>	<b>EMS Surcharge* PA*/10</b>	<b>Fine Surcharge &amp; PA Subtotal</b>	<b>Court OPS</b>	<b>Conv. Assess</b>	<b>Total Bail **</b>	
		<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>	<b>40</b>	<b>35</b>		
1-15	35	40	28	20	20	7	8	158	40	35	233
16-25	70	70	49	35	35	14	14	287	40	35	362
26 and over	100	100	70	50	50	20	20	410	40	35	485

**BUSINESS LICENSING BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
725	(a)	<sup>1</sup> M	Excessive Prescribing or Administering of Drugs or Treatment	100	100	70	50	50	20%	20	410	40	30	480
2225.5	(c)	<sup>2</sup> M	Multiple Failures of Licensee or Health-Care Facility to Comply With Court Order to Enforce Subpoena Mandating Release of Records	1500	1500	1050	750	750	300	300	6150	40	30	6220
2570.3		<sup>3</sup> M	License Required to Practice Occupational Therapy	500	500	350	250	250	100	100	2050	40	30	2120
2630		<sup>4</sup> I	License Required to Operate as a Physical Therapist	250	250	175	125	125	50	50	1025	40	35	1100
2630		<sup>5</sup> M	License Required to Operate as a Physical Therapist	500	500	350	250	250	100	100	2050	40	30	2120
2903		<sup>6</sup> I	License Required to Operate as a Psychologist	250	250	175	125	125	50	50	1025	40	35	1100
2903		<sup>4</sup> M	License Required to Operate as a Psychologist	1000	1000	700	500	500	200	200	4100	40	30	4170
3535	(a)	<sup>7</sup> M	Violation by Physician or Surgeon of Physician's Assistant Employment Requirements	300	300	210	150	150	60	60	1230	40	30	1300
3660	(a,b)	<sup>4</sup> I	License Required to Claim to Be or Practice as a Naturopathic Doctor	250	250	175	125	125	50	50	1025	40	35	1100
3660	(a,b)	<sup>8</sup> M	License Required to Claim to Be or Practice as a Naturopathic Doctor	1500	1500	1050	750	750	300	300	6150	40	30	6220
3760		<sup>4</sup> I	Unauthorized Practice or Use of Title in Providing Respiratory Care	250	250	175	125	125	50	50	1025	40	35	1100
3760		<sup>9</sup> M	Unauthorized Practice or Use of Title in Providing Respiratory Care	1000	1000	700	500	500	200	200	4100	40	30	4170
3761		<sup>4</sup> I	License Required to Provide Respiratory Care	250	250	175	125	125	50	50	1025	40	35	1100
3761		<sup>9</sup> M	License Required to Provide Respiratory Care	500	500	350	250	250	100	100	2050	40	30	2120
4825		<sup>4</sup> I	License Required to Practice Veterinary Medicine	250	250	175	125	125	50	50	1025	40	35	1100
4825		<sup>10</sup> M	License Required to Practice Veterinary Medicine	500	500	350	250	250	100	100	2050	40	30	2120
4980		<sup>4</sup> I	License Required to Practice as a Marriage, Family, and Child Counselor	250	250	175	125	125	50	50	1025	40	35	1100
4980		<sup>11</sup> M	License Required to Practice as a Marriage, Family, and Child Counselor	1000	1000	700	500	500	200	200	4100	40	30	4170
4996		<sup>4</sup> I	License Required to Practice as a Clinical Social Worker	250	250	175	125	125	50	50	1025	40	35	1100
4996		M	License Required to Practice as a Clinical Social Worker	500	500	350	250	250	100	100	2050	40	30	2120
5536	(a,b)	<sup>4</sup> I	License Required to Operate as an Architect	250	250	175	125	125	50	50	1025	40	35	1100

**BUSINESS LICENSING BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **	
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
6451	12	I	Unsupervised Performance of Services for Consumer by Paralegal	500	500	350	250	250	100	100	2050	40	35	2125
6452	12	I	Unlawful Advertisement by Paralegal	500	500	350	250	250	100	100	2050	40	35	2125
6704	(a)	I	License Required to Operate as an Engineer	250	250	175	125	125	50	50	1025	40	35	1100
6704	(a)	13	M License Required to Operate as an Engineer	500	500	350	250	250	100	100	2050	40	30	2120
6980.10		13	I License Required to Operate as a Locksmith	250	250	175	125	125	50	50	1025	40	35	1100
6980.10		14	M License Required to Operate as a Locksmith	10000	10000	7000	5000	5000	2000	2000	41000	40	30	41070
7028	(a)	15	M License Required to Operate as a Contractor	1500	1500	1050	750	750	300	300	6150	40	30	6220
7028.16		16	M Contractor License Required to Repair Damage From Natural Disaster	1000	1000	700	500	500	200	200	4100	40	30	4170
7317		4	I License Required to Operate as a Barber or Cosmetologist or to Perform Electrolysis	250	250	175	125	125	50	50	1025	40	35	1100
7317		17	M License Required to Operate as a Barber or Cosmetologist or to Perform Electrolysis	500	500	350	250	250	100	100	2050	40	30	2120
7502		4	I License Required to Operate a Repossession Agency	250	250	175	125	125	50	50	1025	40	35	1100
7502		18	M License Required to Operate a Repossession Agency	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570
7592		4	I License Required to Provide Service as an Alarm Company Operator	250	250	175	125	125	50	50	1025	40	35	1100
7592		19	M License Required to Provide Service as an Alarm Company Operator	1000	1000	700	500	500	200	200	4100	40	30	4170
7617		4	I License Required to Operate as a Funeral Director	250	250	175	125	125	50	50	1025	40	35	1100
7617		20	M License Required to Operate as a Funeral Director	500	500	350	250	250	100	100	2050	40	30	2120
7637.1		21	M License Required to Operate as a Cemetery Broker or Salesperson	500	500	350	250	250	100	100	2050	40	30	2120
7641		4	I License Required to Operate as an Embalmer	250	250	175	125	125	50	50	1025	40	35	1100
7641		20	M License Required to Operate as an Embalmer	500	500	350	250	250	100	100	2050	40	30	2120
7673.1		22	M Storage of Cremated Remains in a Reckless Manner	1500	1500	1050	750	750	300	300	6150	40	30	6220
7713.2		23	M License Required to Engage in Activities of a Crematory Manager for a Licensed Crematory	500	500	350	250	250	100	100	2050	40	30	2120
7872	(a)	4	I License Required to Operate as a Geologist	250	250	175	125	125	50	50	1025	40	35	1100
7872	(a)	24	M License Required to Operate as a Geologist	500	500	350	250	250	100	100	2050	40	30	2120
8016		4	I License Required to Operate as a Shorthand Reporter	250	250	175	125	125	50	50	1025	40	35	1100

**BUSINESS LICENSING BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
8016	25	M	License Required to Operate as a Shorthand Reporter	500	500	350	250	250	100	100	2050	40	30	2120
8550	26	M	License Required to Practice Structural Pest Control	500	500	350	250	250	100	100	2050	40	30	2120
8725	4	I	License Required to Operate as a Land Surveyor	250	250	175	125	125	50	50	1025	40	35	1100
8725	27	M	License Required to Operate as a Land Surveyor	500	500	350	250	250	100	100	2050	40	30	2120
9840	4	I	License Required to Operate as an Electronic or Appliance Repair Dealer	250	250	175	125	125	50	50	1025	40	35	1100
9840	28	M	License Required to Operate as an Electronic or Appliance Repair Dealer	500	500	350	250	250	100	100	2050	40	30	2120
9884.6	29	M	License Required to Operate as an Automotive Repair Dealer	250	250	175	125	125	50	50	1025	40	30	1095
10085.5 (a)	30	M	Advance Fee for Loan Secured Before Borrower Becomes Obligated to Complete Loan	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
10085.6 (a)	31	M	Advance Fee to Provide Services for Loan Modification or Forbearance	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
10147.6 (a)	32	M	Offering Services for Loan Modification or Forbearance Services Without Making Required Written Disclosure	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
17550.1 (a)	33	M	Violation of Provision Regulating Sellers of Travel	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
9														
19049	4	I	License Required to Operate as a Furniture, Bedding, and Thermal Insulation Manufacturer, Wholesaler, Distributor, Retailer, or Rehabilitator	250	250	175	125	125	50	50	1025	40	35	1100
19049	34	M	License Required to Operate as a Furniture, Bedding, and Thermal Insulation Manufacturer, Wholesaler, Distributor, Retailer, or Rehabilitator	500	500	350	250	250	100	100	2050	40	30	2120
19277	35	M	Violation of Household Goods Carriers Act	100	100	70	50	50	20	20	410	40	30	480
19277.1	36	M	Improper Identifying Symbol on Vehicle of Household Goods Carrier	100	100	70	50	50	20	20	410	40	30	480
19278		M	Willful Violation of Household Goods Carriers Act	100	100	70	50	50	20	20	410	40	30	480
19279.3		M	Advertising Household Goods without Permit	100	100	70	50	50	20	20	410	40	30	480
21804	37	M	Failure to Permanently Mark Optical Disc (Identification Mark)	5000	5000	3500	2500	2500	1000	1000	20500	40	30	20570

**BUSINESS LICENSING BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

**(Business and Professions Code)**

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	
21805		M	Purchase or Sale of Optical Disc With Identification Mark Removed or False Mark	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
21806		M	Destroying Optical Disc Identification Mark	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
22972	(a,b)	<sup>38</sup> M	License Required for Retailer to Sell Cigarettes or Tobacco Products	1500	1500	1050	750	750	300	300	6150	40	30	6220
22975	(a)	<sup>38</sup> M	License Required for Wholesaler or Distributor to Engage in Sale of Cigarettes or Tobacco Products	1500	1500	1050	750	750	300	300	6150	40	30	6220
22979.2 1		<sup>38</sup> M	License Required for Manufacturer or Importer of Tobacco Products to Engage in Sale of Tobacco Products	1500	1500	1050	750	750	300	300	6150	40	30	6220
23300		<sup>39</sup> M	Sale of Alcoholic Beverage Without a License	1000	1000	700	500	500	200	200	4100	40	30	4170
25612.5	(c)(9)	<sup>40</sup> I	Failure of Licensed Retailer to Create and Label "Adults Only" Area for Sale or Rental of Video Recordings of Harmful Matter	100	100	70	50	50	20	20	410	40	35	485
25623	(b)	<sup>41</sup> I	Sale of Powdered Alcohol	35	40	28	20	20	7	8	158	40	35	233
25623.5	(b)	<sup>42</sup> I	Possession of Powdered Alcohol	125	130	91	65	65	25	26	527	40	35	602
25658	(a)	<sup>43</sup> M	Furnishing an Alcoholic Beverage to a Minor	1000	1000	700	500	500	200	200	4100	40	30	4170
25658	(b)	<sup>44</sup> M	Purchase of Alcohol, or Consumption of Alcohol, in On-sale Premises by Someone Under 21	250	250	175	125	125	50	50	1025	40	30	1095
25658	(c)	<sup>45</sup> M	Furnishing an Alcoholic Beverage to a Minor (Great Bodily Injury or Death)	3000	3000	2100	1500	1500	600	600	12300	40	30	12370
25658	(d)	<sup>46</sup> M	On-sale Licensee Knowingly Permits a Person Under the Age of 21 to Consume Alcohol in the On-sale Premises	250	250	175	125	125	50	50	1025	40	30	1095
25662	(a)	M	Possession of Alcoholic Beverage by Person under the Age of 21 in a Public Place	250	250	175	125	125	50	50	1025	40	30	1095
26140	(a)(1)	<sup>47</sup> M	Sale of Cannabis or Cannabis Products to a Person Under 21 Years of Age	1000	1000	700	500	500	200	200	4100	40	30	4170
26140	(c)	<sup>47</sup> M	Sale of Cannabis or Cannabis Products to a Minor Without Proof of Medical Need	1000	1000	700	500	500	200	200	4100	40	30	4170

**BUSINESS LICENSING BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv.	Assess	Total Bail **
					<b>10/10</b>	<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>	

**Notes**

- <sup>1</sup> Per B&P 733: "fine of not less than \$100 nor more than \$600 ... ."
- <sup>2</sup> Multiple acts by a licensee ... shall be punishable by a fine not to exceed \$5,000, or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Multiple acts by a health care facility ... shall be punishable by a fine not to exceed \$5,000, and reported to the State Department of Health Services and shall be considered as grounds for disciplinary action with respect to licensure, including suspension or revocation of the license or certificate.
- <sup>3</sup> Per B&P 2570.23: "fine of not more than \$5,000 ... ."
- <sup>4</sup> Per B&P 146(d), a violation charged as an infraction under B&P 146(c) is subject to a fine of not less than \$250 and not more than \$1,000. No portion of the minimum fine may be suspended by the court unless as a condition of that suspension the defendant is required to submit proof of a current valid license, registration, or certificate for the profession or vocation which was the basis for his or her conviction.
- <sup>5</sup> Per B&P 2670, a misdemeanor violation is punishable by a fine not exceeding \$1,000 or imprisonment in a county jail not exceeding 6 months, or by both.
- <sup>6</sup> Per B&P 2970, a misdemeanor violation is punishable by imprisonment in a county jail not exceeding 6 months, or by a fine not exceeding \$2,000, or by both.
- <sup>7</sup> Per B&P 3535(b): "fine not to exceed \$1,000 ... ."
- <sup>8</sup> Per B&P 3664: " ... fine of not more than \$5,000 ... ."
- <sup>9</sup> Per B&P 3763, a misdemeanor violation is punishable by a fine not exceeding \$1,000 or imprisonment in a county jail not exceeding 6 months, or by both.
- <sup>10</sup> Per B&P 4831, a misdemeanor violation is punishable by a fine not less than \$500, nor more than \$2,000, or imprisonment in a county jail for not less than 30 days nor more than one year, or by both the fine and imprisonment.
- <sup>11</sup> Per B&P 4983, a misdemeanor violation is punishable by imprisonment in a county jail not exceeding 6 months, or by a fine not exceeding \$2,500, or by both.
- <sup>12</sup> Per B&P 6455: "fine of up to \$2,500 as to each consumer with respect to whom a violation occurs."
- <sup>13</sup> Per B&P 146(e), a violation charged as an infraction under B&P 146(c) is subject to a fine of not less than \$250 and not more than \$1,000. No portion of the minimum fine may be suspended by the court unless as a condition of that suspension the defendant is required to submit proof of a current valid license, registration, or certificate for the profession or vocation that was the basis for his or her conviction.
- <sup>14</sup> A misdemeanor violation per B&P 6980.13 is punishable by a fine of \$10,000, or by imprisonment in a county jail for not more than one year, or by both that fine and imprisonment.
- <sup>15</sup> Per B&P 7028: Fine " ... not exceeding \$5,000 ... ."

**BUSINESS LICENSING BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>
16			Per B&P 7028.16: Fine "... up to \$10,000, or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months, or for two or three years, or by both that fine and imprisonment, or by a fine up to \$1,000, or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment."										
17			A misdemeanor violation per B&P 7317 is punishable under PC 19 by imprisonment in the county jail not exceeding 6 months, or by a fine not exceeding.										
18			Per B&P 7502.1, a misdemeanor violation is punishable by a fine of \$5,000, or by imprisonment in a county jail for not more than one year, or by both the fine and imprisonment.										
19			Per B&P 7592.2, a misdemeanor violation is punishable by a fine of \$1,000, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.										
20			A misdemeanor violation per B&P 7715 is punishable under PC 19 by imprisonment in the county jail not exceeding 6 months, or by a fine not exceeding \$1,000, or by both.										
21			Per B&P 7637.6: "... punished by a fine not to exceed \$5,000."										
22			Per B&P 7673.1: "... punishable by imprisonment in a county jail not exceeding one year or by a fine not to exceed \$5,000, or by both that fine and imprisonment."										
23			Per B&P 7713.3: "... a misdemeanor ... to cremate human remains ... without a valid, unexpired crematory license."										
24			Per B&P 7872, a misdemeanor violation is punishable by a fine of not more than \$1,000, or by imprisonment not to exceed 3 months, or by both fine and imprisonment.										
25			A misdemeanor violation per B&P 8019 is punishable under PC 19 by imprisonment in the county jail not exceeding 6 months, or by a fine not exceeding \$1,000, or by both.										
26			Per B&P 8553, a misdemeanor violation is punishable by a fine of not less than \$50, nor more than \$5,000, or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.										
27			A misdemeanor violation per B&P 8792 is punishable under PC 19 by imprisonment in the county jail not exceeding 6 months, or by a fine not exceeding \$1,000, or by both.										
28			Per B&P 9850, a misdemeanor violation is punishable by a fine not exceeding \$1,000, or by imprisonment not exceeding six months, or by both such fine and imprisonment.										
29			Assem. Bill 1560 (Stats. 2001, ch. 357) amended B&P 145 and B&P 145.5 to delete B&P 9884.6 from the list of offenses that are infractions.										
30			Per B&P 10085.5(c): "punishable by a fine not exceeding \$10,000, by imprisonment in the county jail for a term not to exceed six months, or by both that fine and imprisonment, or if by a corporation, the violation is punishable by a fine not to exceed \$50,000."										
31			Per B&P 10085.6(b): Fine "... not exceeding \$10,000 ... or if by a corporation, the violation is punishable by a fine not exceeding \$50,000."										
32			Per B&P 10147.6 (c): Fine "... not exceeding \$10,000 ... ."										
33			Violation punishable "by a fine of not more than \$10,000, by imprisonment in a county jail for not more than one year, or by both ... ."										
34			Per B&P 19220, a misdemeanor violation is punishable by a fine of not less than \$500 nor more than \$1,500 or by imprisonment for not less than three nor more than six months or by both such fine and imprisonment.										



**BUSINESS LICENSING BAIL AND PENALTY SCHEDULE**

(\*See Preface, Section III) (\*\*See Preface, Section IV)

(Business and Professions Code)

Section	Notes	Level	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surchage* PA*/10	EMS PA*/10	Fine Surcharge & PA Subtotal	Court OPS Conv. Assess	Total Bail **
				<b>10/10</b>		<b>7</b>	<b>5/10</b>	<b>5</b>	<b>20%</b>	<b>2</b>		<b>40</b>	<b>0</b>

<sup>35</sup> Per B&P 19277. (a) Every household goods carrier and every officer, director, agent, or employee of any household goods carrier who violates or who fails to comply with, or who procures, aids, or abets any violation by any household goods carrier of any provision of this chapter or any rule or regulation administered by the bureau pursuant to this chapter, or of any operating permit issued to any household goods carrier, or who procures, aids, or abets any household goods carrier in its failure to obey, observe, or comply with any such rule, regulation, or operating permit, is guilty of a misdemeanor, and is punishable by a fine of not more than two thousand five hundred dollars (\$2,500) or by imprisonment in the county jail for not more than three months, or both. If a violation is willful, each willful violation is punishable by a fine of not more than ten thousand dollars (\$10,000) or by imprisonment in the county jail for not more than one year, or both. If the violation involves operating or holding oneself out as a household goods carrier without a permit, the fine shall be not less than one thousand dollars (\$1,000). (b) Any person who violates subdivision (a) of Section 19237, is guilty of a misdemeanor, and is punishable by a fine of not more than ten thousand dollars (\$10,000), by imprisonment in the county jail for not more than one year, or both, for each violation.

<sup>36</sup> Per B&P 19277.1. Every household goods carrier, and every officer, director, agent, or employee of a household goods carrier, who displays on any vehicle any identifying symbol other than the symbol prescribed by the bureau pursuant to Section 19236 or who fails to remove an identifying symbol when required by the bureau, is guilty of a misdemeanor and is punishable by a fine of not more than one thousand dollars (\$1,000), by imprisonment in the county jail for not more than one year, or both.

<sup>37</sup> Per B&P 21804: " ... fine of not less than \$500 and not more than \$25,000 for a first offense."

<sup>38</sup> Per B&P 22981: " ... fine not to exceed \$5,000 ... ."

<sup>39</sup> Per B&P 25617: "... fine of not more than \$1,000..."

<sup>40</sup> Per B&P 25612.5(c)(9), failure to create and label the "adults only" area is an infraction punishable by a fine of not more than \$100.

<sup>41</sup> B&P 25623 sets the level of crime as an infraction and limits the base fine to \$500."

<sup>42</sup> B&P 25623.5 sets the level of crime as an infraction and the base fee at \$125.

<sup>43</sup> Per B&P 25658(e)(2): "fine of \$1,000, no part of which shall be suspended, and the person shall be required to perform not less than 24 hours of community service during hours when the person is not attending school."

<sup>44</sup> Per B&P 25658(e)(1): "fine of \$250, no part of which shall be suspended, or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed and is not attending school, or a combination of fine and community service as determined by the court."

<sup>45</sup> Per B&P 25658(e)(3), "(3) Any person who violates subdivision (c) shall be punished by imprisonment in a county jail for a minimum term of six months not to exceed one year, by a fine of three thousand dollars (\$3,000), or by both imprisonment and fine."

<sup>46</sup> Per B&P 25658(e)(1): "fine of \$250, no part of which shall be suspended, or the person shall be required to perform not less than 24 hours or more than 36 hours of community service during hours when the person is not employed and is not attending school, or a combination of fine and community service as determined by the court."

<sup>47</sup> As recommended by the Bureau of Cannabis Control, the classification and base fine for Business and Professions Code section 26140 follow that of section 25658(a), Furnishing An Alcoholic Beverage to a Minor, a misdemeanor with a base fine of \$1,000 per statute.

**County Reference Worksheet**

<p align="center"><b>If County Amounts Are Different From The Amount Listed in This Row, Insert the Applicable Amount to Recalculate All Tables:</b></p>	<p align="center"><b>Court Facility Construction PA GC 70372 (amended to \$5 for all counties)</b></p>	<p align="center"><b>County PA GC 76000(a) GC 76000(e)</b></p>	<p align="center"><b>EMS PA GC 76000.5</b></p>	<p align="center"><b>Night Court VC 42006</b></p>	<p align="center"><b>CAP FEE VC 11205.2</b></p>
	<p align="center"><b>5</b></p>	<p align="center"><b>7</b></p>	<p align="center"><b>2</b></p>	<p align="center"><b>1</b></p>	<p align="center"><b>0</b></p>

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** 3/13/25

**Rules Committee action requested** [Choose from drop-down menu below]:

**Submit to JC (without circulating for comment)**

**Title of proposal:** Rules and Forms: Miscellaneous Technical Changes to Traffic Form

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Revise form TR-235

*Committee or other entity submitting the proposal:*

Traffic Advisory Committee

*Staff contact (name, phone and email):* Jamie Schechter, 415-865-5327, Jamie.Schechter@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): 10/22/24

Project description from annual agenda: Review pending and enacted legislation that may impact traffic court administration. Provide subject matter expertise on legislation, including fiscal impacts for the courts. Propose rules and forms necessary to comply with legislation or other directives.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

These technical changes are requested to be effective July 1, 2025 to correct a statutory error on Form TR-235.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

The recommendations are non-controversial technical changes to comply with statutory changes.

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) 2/10/25

approved by Office Director (or Designee) (name) Francine Byrne  
on (date) 2/10/25

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:*

For business meeting on April 25, 2025

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Title	Agenda Item Type
Rules and Forms: Miscellaneous Technical Changes to Traffic Form	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise form TR-235	July 1, 2025
Recommended by	Date of Report
Traffic Advisory Committee	February 14, 2025
Hon. Maria Lucy Armendariz, Chair	Contact
	Jamie Schechter, 415-863-5327
	<a href="mailto:Jamie.Schechter@jud.ca.gov">Jamie.Schechter@jud.ca.gov</a>

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### Executive Summary

The Traffic Advisory Committee recommends revising *Officer's Declaration* (form TR-235) to incorporate a change resulting from legislation and to correct and update grammar and stylistic conventions on the form. These changes are technical, minor, and noncontroversial. The committee recommends making the necessary corrections to conform to statute and to ensure clarity for court users, clerks, and judicial officers.

### Recommendation

The Traffic Advisory Committee recommends that the Judicial Council, effective July 1, 2025, revise *Officer's Declaration* (form TR-235) to conform to a change in law, and to correct miscellaneous grammatical errors and outdated stylistic conventions on the form.

### Relevant Previous Council Action

Although the Judicial Council has acted on this form previously, this proposal recommends only minor corrections unrelated to any prior action.

## Analysis/Rationale

Vehicle Code section 40902 authorizes trial by written declaration, a procedure that allows a defendant to contest a citation in writing, without having to make a personal court appearance. Trials by written declaration are available in cases involving infraction violations of the Vehicle Code or violations of local ordinances adopted under the Vehicle Code. (Veh. Code, § 40902(a)(1).) California Rules of Court, rule 4.210 establishes minimum procedural requirements for this type of trial by written declaration. This rule requires a clerk, upon receipt of a defendant's request for trial by written declaration, to notify the arresting officer and to send specified forms to the officer. One of these forms is form TR-235. (See rule 4.210(b)(5).)

Form TR-235 includes items about an engineering and traffic survey (ETS) for the officer to complete. An ETS is a report prepared by civil engineers for a stretch of road or several roads and is "a survey of highway and traffic conditions in accordance with methods determined by the Department of Transportation for use by state and local authorities." (Veh. Code, § 627(a).) There may be several ETSs commissioned by different municipalities or agencies in each court jurisdiction. An ETS for speed limits must be conducted at least once every 5, 7, or 14 years, depending on different criteria. (Veh. Code, § 40802.) An ETS can sometimes be necessary to prove a foundational element in an infraction case involving speeding. Vehicle Code section 40802 was amended to extend the validity of an ETS from 10 years to 14 years.<sup>1</sup> However, item 6 on form TR-235 reflects the previous validity length of 10 years.

The change to this form is necessary to conform to a statutory change and correct references. There are also numerous grammar and stylistic conventions on the form that should be updated. The committee recommends changing "ten (10)" to "fourteen (14)" in item 6, as well as the following technical changes to the form:

- Changing "vs." to "v." in the caption;
- Changing the word "pursuant" to "under" in the instructions;
- Changing the word "shall" to "must" in the instructions;
- Changing the word "on-duty" to "on duty" and removing the word "the" from "as required by the Vehicle Code section 40800" in item 1a;
- Replacing "offense(s)," "statement(s)," "diagrams(s)," "Method(s)," and "Diagram(s)" with "offenses," "statements," "diagrams," "Methods," and "Diagrams" in items 1b, 1c, 1g, 2, and 9, respectively, and correcting the corresponding verb tense as appropriate;

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<sup>1</sup> Specifically, Vehicle Code section 40802(c)(2)(II) now states: "If an engineering and traffic survey was conducted more than seven years prior to the date of the alleged violation, and a registered engineer evaluates the section of the highway and determines that no significant changes in roadway or traffic conditions have occurred, including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, 14 years." (Assem. Bill 43 (Stats. 2021, ch. 690).)

- Changing “Vehicle Code section 40802, subdivision(a)(2)” to “Vehicle Code section 40802(a)(2)” in item 3;
- Adding “(2)” in item 5d;
- Changing “which” to “that” in item 6b; and
- Adding the words “of declarant” to the signature line.

### **Policy implications**

This proposal promotes accuracy of forms and their consistency with statutes.

### **Comments**

Public comments were not solicited for this proposal because the recommendations are within the Judicial Council’s purview to approve without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

### **Alternatives considered**

Last year, the Traffic Advisory Committee considered revisions to form TR-235 that included the current recommendation, along with substantive changes. However, after circulating the proposal for public comment in the spring, the committee decided to withdraw it to consider additional changes to improve the form’s overall clarity and to conform with the trial-by-declaration process currently being implemented in MyCitations. Only two courts are currently live with the trial-by-declaration feature in MyCitations, and those courts just went live in January 2025. Because of resource allocation priorities for 2025, the committee will reconsider possible redesign objectives in 2026. Recommending the current minor revisions to the form at this time appears to be the better option, so that courts and court users do not continue to rely on inaccurate forms for an unforeseen amount of time.

### **Fiscal and Operational Impacts**

Operational impacts are expected to be minor. The proposed revisions may result in reproduction costs if courts provide hard copies of the form recommended for revision. Because the proposed changes are minor, case management systems are unlikely to need updating to implement the changes.

### **Attachments and Links**

1. Form TR-235, at pages 4–5

NAME OF COURT: STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME: TELEPHONE:	<b>FOR COURT USE ONLY</b>  02/14/2025 <b>DRAFT</b> Not approved by the Judicial Council	
<b>PEOPLE OF THE STATE OF CALIFORNIA</b> v. DEFENDANT:		
<b>OFFICER'S DECLARATION</b> <b>(Trial by Written Declaration—Vehicle Code, § 40902)</b>		
RETURN DATE:	ARRESTING/CITING OFFICER NAME/ID NO.:	CITATION NUMBER/DATE ISSUED:
AGENCY NAME:	OFFICE [IF ANY]:	CASE NUMBER:

**INSTRUCTIONS:** The defendant in the case listed above has opted for trial by written declaration under Vehicle Code section 40902. The officer named above must check all statements that apply, date, sign, and complete and return this form to the court named above by the return date.

1. **OFFICER'S DECLARATION:** Except as expressly stated below, I have personal knowledge of the facts stated herein. The events occurred in the County of *(specify)*: \_\_\_\_\_ at about the date, time, and location stated in the citation.
  - a.  At the time of the citation I was a peace officer **on duty**  for the exclusive or main purpose of traffic enforcement  not for the exclusive or main purpose of traffic enforcement, and I  was  was not wearing a uniform as required by Vehicle Code section 40800. Any vehicle used by me complied with Vehicle Code section 40800.
  - b.  The offenses were not committed in my presence.
  - c.  Any statements made by the defendant were voluntary, recorded  verbatim  not verbatim and are reasonably complete and accurate in substance.
  - d.  Safety is an element of the violation alleged. In my opinion, the defendant's operation of the vehicle was unsafe.
  - e.  Any equipment used by me to gather evidence in support of this violation was properly maintained, in good working order, and I have been trained in its use.
  - f.  Any traffic sign, signal, or device mentioned was official and properly located, maintained, in good working order, and clearly visible to a driver of a vehicle controlled, governed, or affected by such sign, signal, or device.
  - g.  Any diagrams submitted are not exact or to scale, but are reasonably complete, accurate, and fairly depicts the location, situation, and events described.
  - h.  Speed supported by the patrol vehicle's speedometer was a significant factor. Pursuant to department policy, the patrol vehicle used in connection with this citation was officially calibrated on *(date)*: \_\_\_\_\_  
 The result was *(specify)*: \_\_\_\_\_  
 The calibration was considered by me in determining defendant's speed.
  - i.  Defendant was identified by Driver's License  or other *(specify)*: \_\_\_\_\_
2. **THE METHODS USED TO DETERMINE THE SPEED OF THE INVOLVED VEHICLE WAS/WERE:**

a. <input type="checkbox"/> Odometer	e. <input type="checkbox"/> Laser
b. <input type="checkbox"/> Visual estimation	f. <input type="checkbox"/> Aircraft
c. <input type="checkbox"/> Pacing	g. <input type="checkbox"/> Other <i>(specify)</i> : _____
d. <input type="checkbox"/> Radar (see items 4, 5, 6, below)	
3.  Engineering and traffic survey (ETS) not required per Vehicle Code section **40802(a)(2)**.
4.  ETS completed within five (5) years prior to date of alleged violation.
  - a.  ETS attached.
  - b.  ETS on file with the court.

(Continued on reverse)



PEOPLE v. DEFENDANT (Name):	CASE NUMBER:
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5.  ETS completed within five (5) and seven (7) years prior to date of alleged violation.
- a.  ETS attached.
  - b.  ETS on file with the court.
  - c.  Arresting/citing officer has successfully completed a radar operator course of not less than 24 hours approved and certified by the Commission on Peace Officer Standards and Training (POST).
  - d.  Laser or other electronic device was used to measure speed. Arresting/citing officer successfully completed an additional training course of not less than two (2) hours approved and certified by POST.
  - e.  The speed measuring device used to measure the speed of defendant (Serial No: \_\_\_\_\_ ) meets or exceeds the minimum operational standards of the National Highway Traffic Safety Administration (NHTSA) and was last calibrated on (date): \_\_\_\_\_ by an independent certified laser/radar repair and testing/calibration facility.
  - f.  Equipment accuracy check conducted on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ and again on (date): \_\_\_\_\_ at (time): \_\_\_\_\_

6.  ETS completed within seven (7) and fourteen (14) years prior to date of alleged violation.
- a.  A registered engineer has evaluated the section of the highway in question and has determined that no significant changes in roadway or traffic conditions have occurred.
  - b.  All of the elements marked under item 5, above, that are applicable.

7. **FACTS AND CIRCUMSTANCES** (type or print only. State what happened):

Continued on attachment.

8. **OTHER EVIDENCE AND STATEMENTS** (Explain any other evidence and statements):

Continued on attachment.

9. **DIAGRAMS** (specify):
- Attached.

10. Number of pages attached: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▲ \_\_\_\_\_  
(SIGNATURE OF DECLARANT)

ID Number: \_\_\_\_\_

Agency NCIC Number: \_\_\_\_\_

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form

Save this form

Clear this form

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from the drop-down menu below]:  
**Submit to JC (without circulating for comment)**

**Title of proposal:** Appellate Procedure: Certified Record in Capital Cases

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*  
amend rule 8.622

*Committee or other entity submitting the proposal:*  
JC staff

*Staff contact (name, phone and e-mail):* Jeremy Varon, 415-865-7424, [jeremy.varon@jud.ca.gov](mailto:jeremy.varon@jud.ca.gov)

*Identify project(s) on the committee's annual agenda that is the basis for this item:*  
Annual agenda approved by Rules Committee on (date):  
Project description from annual agenda:

**Out of Cycle:** *If requesting September 1 effective date or out of cycle, explain why:*

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)  
This is a technical amendment.

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)  
This report or invitation to comment was
  - reviewed by EGG on (date) February 18, 2025
  - approved by Office Director (or Designee) (name) Michael Giden on (date) February 19, 2025*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)  
This proposal:
  - includes forms that have been translated.
  - includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)
  - includes forms that staff will request be translated.
- **Form Descriptions** (for any report with new or revised forms)
  - The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).
- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: W25-13*

For business meeting on April 25, 2025

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Title

Appellate Procedure: Certified Record in  
Capital Cases

Rules, Forms, Standards, or Statutes Affected  
Amend Cal. Rules of Court, rule 8.622

Recommended by

Judicial Council staff  
James Barolo, Supervising Attorney  
Jeremy Varon, Attorney  
Legal Services

Report Type

Action Required

Effective Date

July 1, 2025

Date of Report

February 19, 2025

Contact

Jeremy Varon, 415-865-7424  
[jeremy.varon@jud.ca.gov](mailto:jeremy.varon@jud.ca.gov)

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### Executive Summary

Penal Code section 1218 previously required courts to transmit a complete transcript to the Governor in cases resulting in a judgment of death. The Legislature recently amended section 1218 to remove this requirement; a court need only transmit a statement of the conviction and judgment. Accordingly, Judicial Council staff recommend amending the rule of court addressing the record in capital cases to reflect the statutory amendment.

### Recommendation

Judicial Council staff recommend that the Judicial Council, effective July 1, 2025, amend California Rules of Court, rule 8.622 to remove the requirement that the clerk send to the Governor copies of the transcripts in cases resulting in a judgment of death.

The proposed revised rule is attached at page 4.

### Relevant Previous Council Action

The Judicial Council previously adopted rules relating to the content and preparation of the record on appeal in death penalty cases effective July 1, 1943. Although the Judicial Council previously acted on this rule, this proposal recommends corrections unrelated to any prior action.

## **Analysis/Rationale**

California Rules of Court, rule 8.622(e) requires: “When the record is certified as accurate, the clerk must promptly send: ... (3) To the Governor: the copies of the transcripts required by Penal Code section 1218, with copies of any corrected or augmented pages inserted.” Paragraph (3) of rule 8.622(e) was included to reflect the requirements of the previous version of Penal Code section 1218, which required: “The judge of the court at which a judgment of death is had, must, immediately after the judgment, transmit to the Governor, by mail or otherwise, a statement of the conviction and judgment, and a complete transcript of all the testimony given at the trial including any arguments made by respective counsel and a copy of the clerk’s transcript.”

Effective July 2, 2024, however, the Legislature amended section 1218 to remove this requirement to transmit the transcript of the testimony and the clerk’s transcript: “The judge of the court at which a judgment of death is had shall, immediately after the judgment, electronically transmit, in a mutually agreed upon format, a statement of the conviction and judgment to the Governor.” (Assem. Bill 168 (Stats. 2024, ch. 49).)

Because rule 8.622(e)(3) refers to “copies of the transcripts required by Penal Code section 1218,” and Penal Code section 1218 no longer requires copies of the transcripts, this part of the rule is no longer consistent with statute. As such, this subdivision of the rule should be removed.

## **Policy implications**

The proposed rule amendment conforms the rule to a statutory amendment. Accordingly, the key policy implications for this proposal are ensuring that rules of court reflect the law correctly and are not misleading to the courts.

## **Comments**

Public comments were not solicited for this proposal because the Rules Committee determined that the recommendation is within the Judicial Council’s purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

## **Alternatives considered**

None.

## **Fiscal and Operational Impacts**

There should be no fiscal and operational impacts as a result of the proposed amendment because it reflects a requirement that has already been eliminated by the Legislature.

## **Attachments and Links**

1. Cal. Rules of Court, rule 8.622, at page 3
2. Link A: Penal Code section 1218,  
[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PEN&sectionNum=1218](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=1218).

Rule 8.622 of the California Rules of Court is amended, effective July 1, 2025, to read:

1 **Rule 8.622. Certifying the trial record for accuracy**

2  
3 (a)–(d) \* \* \*

4  
5 (e) **Sending the certified record**

6  
7 When the record is certified as accurate, the clerk must promptly send:

8  
9 (1) To the Supreme Court: the corrected original record, including the judge’s  
10 certificate of accuracy. The reporter’s transcript must be in electronic form.  
11 The clerk is encouraged to send the clerk’s transcript in electronic form if the  
12 court is able to do so.

13  
14 (2) To each defendant’s appellate counsel, each defendant’s habeas corpus  
15 counsel, the Attorney General, the Habeas Corpus Resource Center, and the  
16 California Appellate Project in San Francisco: a copy of the order certifying  
17 the record and a copy of the reporter’s transcript in electronic form.

18  
19 ~~(3) To the Governor: the copies of the transcripts required by Penal Code section~~  
20 ~~1218, with copies of any corrected or augmented pages inserted.~~

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Submit to JC (without circulating for comment)**

**Title of proposal:** Protective Orders: Technical Change to Domestic Violence Form

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*  
Revise form DV-130

*Committee or other entity submitting the proposal:*  
Judicial Council staff for the Family and Juvenile Law Advisory Committee

*Staff contact (name, phone and email):* Frances Ho, 415-865-7662; frances.ho@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*  
Annual agenda approved by Rules Committee on (date): October 22, 2024, amended November 26, 2024  
Project description from annual agenda: Item 13: Develop rule and form changes as necessary to correct errors meeting the criteria of rule 10.22(d)(2): "a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy...."

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*  
Technical change is needed promptly to correct restraining order form to avoid confusion over expiration date.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)  
Staff is requesting that the effective date be the first business day after the Judicial Council meeting (April 28, 2025).

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)  
This report or invitation to comment was:  
 reviewed by EGG on (date) 2/17/25  
 approved by Office Director (or Designee) (name) Anna Maves  
on (date) 2/21/25

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)  
This proposal:  
 includes forms that have been translated.  
 includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)  
 includes forms that staff will request be translated.
- **Form Descriptions** (for any report with new or revised forms)  
 The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).
- **Self-Help Website** (check if applicable)

This proposal may require changes or additions to self-help web content.



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-*

For business meeting on April 25, 2025

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Title	Report Type
Protective Orders: Technical Change to Domestic Violence Form	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise form DV-130	April 28, 2025
Recommended by	Date of Report
Judicial Council staff	February 24, 2025
Frances Ho, Attorney	Contact
Center for Families, Children & the Courts	Frances Ho, 415-865-7662 <a href="mailto:frances.ho@jud.ca.gov">frances.ho@jud.ca.gov</a>

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### Executive Summary

Judicial Council staff recommend revisions to one domestic violence restraining order form to correct a technical error and to make other minor corrections. The form's revisions will avoid confusion over the expiration date of the order.

### Recommendation

Judicial Council staff recommend that the Judicial Council, effective April 28, 2025, revise *Restraining Order After Hearing (Order of Protection)* (form DV-130) to correct the second bullet point in item 4 to refer to item 6a instead of item 5a, to change “shall” to “must” on page 10, and to update the format of several citations on pages 10 and 11.

### Relevant Previous Council Action

The council last revised this form effective January 1, 2025, to implement Assembly Bill 92 (Connolly, Stats. 2023, ch 232).

### Analysis/Rationale

The changes to this form are technical in nature and necessary to ensure that the form is accurate and consistent with other forms.



**Policy implications**

There are no policy implications to this proposal.

**Comments**

This proposal was not circulated for public comment because the change involves a technical correction and is therefore within the council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

**Alternatives considered**

Judicial Council staff considered not updating the form until next year, when other recommended changes to form DV-130 would likely take effect, but rejected the approach as the error could lead to confusion over the expiration date of the order.

**Fiscal and Operational Impacts**

Courts will incur costs to incorporate the revised form into paper and electronic processes.

**Attachments and Links**

1. Form DV-130, at pages 3–13

Clerk stamps date here when form is filed.

2.24.25 DRAFT Not approved by the Judicial Council

Original Order Amended Order

1 Protected Person (name):

2 Restrained Person

\*Full Name: \*Gender: \*Race: \*Age: Date of Birth: Height: Weight: Hair Color: Eye Color: Relationship to person in 1: Address of restrained person: City: State: Zip: (Information that has a star (\*) next to it is required to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:

3 Other Protected People

In addition to the person in 1, the following persons are protected by orders as indicated in 13 through 16.

Table with 3 columns: Full name, Relationship to person in 1, Age

Check here if you need to list more people. List them on a separate piece of paper, write "DV-130, Other Protected People" at the top, and attach it to this form.

4 Expiration Date

This restraining order, except the orders noted below,\* end on: (date): at (time): a.m. p.m. or midnight. Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18. If no date is written, the restraining order ends three years after the date of the hearing in 6a. If no time is written, the restraining order ends at midnight on the expiration date.

This order must be enforced throughout the United States. See page 10.

This is a Court Order.



**5**  **Future Court Hearing**



The  person in ①  person in ② must attend court on:  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.  
 Department: \_\_\_\_\_ Room: \_\_\_\_\_  
 to review (*list issues*): \_\_\_\_\_  
 \_\_\_\_\_

**6** **Hearing**

- a. The hearing was on (*date*): \_\_\_\_\_ with (*name of judicial officer*): \_\_\_\_\_
- b. These people attended the hearing (*check all that apply*):
- The person in ①  The lawyer for the person in ① (*name*): \_\_\_\_\_
  - The person in ②  The lawyer for the person in ② (*name*): \_\_\_\_\_

**7** **Court's Decision**

In making this order, the court has considered whether failure to make any of the orders requested might risk the safety of the person in ① or any children listed on form DV-105. If child or spousal support was requested, the court has considered whether failure to make support orders would risk the safety of the person in ① or any children listed on form DV-105.

**To the Person in ② :**

**The court has granted a long-term restraining order. See ⑦ through ⑳ . If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.**

**This is a Court Order.**



**8 No Firearms (Guns), Firearm Parts, or Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
- b. **Prohibited items are:**
  - (1) Firearms;
  - (2) Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
  - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use form [DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition.](#)) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.
- f.  Limited Exemption: The judge has made the necessary findings to grant an exemption under Family Code section 6389(h). Under California law, the person in **(2)** is not required to relinquish this firearm (*make, model, and serial number of firearm*): \_\_\_\_\_ but must only have it during scheduled work hours and to and from their place of work. Even if exempt under California law, the person in **(2)** may be subject to federal prosecution for possessing or controlling a firearm.

**9  Restrained person has prohibited items**

The court finds that you have the following prohibited items:

**a. Firearms and/or firearm parts**

Description ( <i>include serial number, if known</i> )	Location, if known	Proof of compliance received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

**This is a Court Order.**



9 The court finds that you have the following prohibited items:

b. Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____

Check here to list additional items. List them on a separate piece of paper, write "DV-130, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

10  Restrained Person Has Not Complied With Surrendering Prohibited Items

a. The court finds that you have not fully complied with the orders previously granted on (date): \_\_\_\_\_  
The court has not received a receipt or proof of compliance for all the items listed in 9.

b. Notify Law Enforcement

The court will immediately notify the following law enforcement agency of this violation  
(law enforcement agency or agencies): \_\_\_\_\_

c. Notify Prosecutor

The court will immediately notify the following prosecuting agency of this violation  
(prosecuting agency): \_\_\_\_\_

11  Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance

You must attend the court hearing in 5 to prove that you have properly turned in, sold, or stored all prohibited items (described in 8b) you still have or own, including any items listed in 9. If you do not attend the court hearing listed in 5, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

12 No Body Armor

You cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.

**This is a Court Order.**



**13 Cannot Look for Protected People**

You must not take any action to look for any person protected by this order, including their addresses or locations.

- If checked, this order was not granted because the court found good cause not to make this order.

**14  Order to Not Abuse**

**You must not do the following things to the person in ① and any person listed in ③:**

- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.
- “Disturb the peace” means to destroy someone’s mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- “Coercive control” means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status. Coercive control includes reproductive coercion meaning controlling someone’s reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone’s contraception, birth control, pregnancy, or access to health information.

**15  No-Contact Order**

a. You must **not contact**  the person in ①,  the persons in ③, directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.

b.  Exception to 15a:

- (1)  You may have brief and peaceful contact with the person in ① to only communicate about your children for court-ordered visits.
- (2)  You may have contact with your children only during court-ordered contact or visits.
- (3)  Other (*explain*): \_\_\_\_\_

c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

**This is a Court Order.**



**16**  **Stay-Away Order**

a. You **must** stay at least (*specify*): \_\_\_\_\_ yards away from (*check all that apply*):

- Person in ①.
- Home of person in ①.
- Job or workplace of person in ①.
- Vehicle of person in ①.
- School of person in ①.
- Persons in ③.
- Children's school or child care.
- Other (*specify*): \_\_\_\_\_

b.  Exception to 16a:

The stay-away orders do not apply:

- (1)  For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
- (2)  For you to visit with your children for court-ordered contact or visits.
- (3)  Other (*explain*): \_\_\_\_\_

**17**  **Order to Move Out**

You must move out immediately from (*address*):

\_\_\_\_\_

**18**  **Other Orders**

\_\_\_\_\_  
\_\_\_\_\_

**19**  **Child Custody and Visitation Order**

The judge has granted orders regarding minor children. The orders are included on **form DV-140**, and (*list other form*): \_\_\_\_\_

**20**  **Protect Animals**

- a.  You must stay at least \_\_\_\_\_ yards away from the animals listed below.
- b.  You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- c.  The person in ① is given the sole possession, care, and control of the animals listed below.

Name ( <i>or other way to ID animal</i> )	Type of animal	Breed ( <i>if known</i> )	Color
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**This is a Court Order.**



**21**  **Control of Property**

Only the person in ① can use, control, and possess the following property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**22**  **Health and Other Insurance**

The person  in ①  in ② is ordered **not** to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their children, if any, for whom support may be ordered, or both.

**23**  **Record Communications**

The person in ① may record communications made by the person in ② that violate this order.

**24**  **Property Restraint**

The person  in ①  in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (If the court granted the order in ⑮, the person in ② must not contact the person in ①. To notify the person in ① of new or big expenses, have a server mail or personally give the information to the person in ① or contact their lawyer, if they have one.)

**25**  **Pay Debts (Bills) Owed for Property**

a. You must make these payments until this order ends:

(1) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
(2) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
(3) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

b.  The court finds that the debt or debts listed above in  a(1)  a(2)  a(3) were the result of abuse in this case, and made without the person in ①'s agreement.

**This is a Court Order.**





**26**  **Pay Expenses Caused by the Abuse**

You must pay the following:

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**27**  **Child Support**

Child support is ordered on the attached [form FL-342](#), *Child Support Information and Order Attachment* or (*list other form*): \_\_\_\_\_

**28**  **Spousal Support**

Spousal support is ordered on the attached [form FL-343](#), *Spousal, Domestic Partner, or Family Support Order Attachment* or (*list other form*): \_\_\_\_\_

**29**  **Lawyer's Fees and Costs**

You must pay the following lawyer's fees and costs:

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**30**  **Batterer Intervention Program**

- a. The person in **2** must go to and pay for a probation-certified 52-week batterer intervention program and show proof of completion to the court.
- b. The person in **2** must enroll by (*date*): \_\_\_\_\_ or if no date is listed, must enroll within 30 days after the order is made.
- c. The person in **2** must complete, file, and serve [form DV-805](#), *Proof of Enrollment for Batterer Intervention Program*.

**31**  **Transfer of Wireless Phone Account**

The court has made an order transferring one or more wireless service accounts from you to the person in **1**. These orders are contained on [form DV-900](#), *Order Transferring Wireless Phone Account*.

**This is a Court Order.**



**32 Service** (check a, b, or c)

- a.  **No other proof of service is needed.** The people in ① and ② attended the hearing, either physically or remotely (by telephone or videoconference), or agreed in writing to this order.
- b.  **The person in ② was not present.** Proof of service of form DV-109 and form DV-110 (if issued) was presented to the court. (Check all that apply):
- (1)  This order can be served by mail. The judge's orders in this form are the same as in form DV-110 except for the expiration date. The person in ② must be served, either by mail or in person.
- (2)  This order must be personally served. The judge's orders in this form are different from the orders in form DV-110, or form DV-110 was not issued. The person in ② must be personally served (given) a copy of this order.
- (3)  The court has scheduled a firearms and ammunition compliance hearing. The person in ① must have a copy of this order served on the person in ② by:
- (a)  Personal service by (date): \_\_\_\_\_
- (b)  Mail at the person in ②'s last known address by (date): \_\_\_\_\_
- c.  **Proof of service of form FL-300 to modify the orders in form DV-130 was presented to the court.**
- (1)  The people in ① and ② attended the hearing or agreed in writing to this order. No other proof of service is needed.
- (2)  The person  in ①  in ② did not attend the hearing and must be personally served (given) a copy of this amended (modified) order.

**33 No Fee to Serve (Notify) Restrained Person**

The sheriff or marshal will serve this order for free. If you want the sheriff to serve your papers, (1) complete form [SER-001](#), *Request for Sheriff to Serve Court Papers*, and (2) give the completed form and a copy of this order to the sheriff.

**34 Attached Pages**

All of the attached pages are part of this order.

a. Number of pages attached to this 11-page form: \_\_\_\_\_

b. Attachments include forms (check all that apply):

DV-140  DV-145  DV-900  FL-341(C)  FL-342  FL-343  Other: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge or Judicial Officer

**This is a Court Order.**



### Certificate of Compliance With VAWA

This restraining (protective) order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. section 2265 (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and must be enforced as if it were an order of that jurisdiction.**

### Instructions for Law Enforcement

#### Start Date and End Date of Orders

This order starts on the earlier of the following dates:

- The hearing date in (6)a on page 2; or
- The date next to the judge’s signature on this page.

This order ends on the expiration date in (4). If no date is listed, they end three years from the hearing date.

#### Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (8)b, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer’s name and law enforcement agency.

#### Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, in the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

#### Notice/Proof of Service

Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Fam. Code, § 6383.)

Consider the restrained person “served” (notified) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person attended the hearing (see (32)) or was informed of the order by an officer. (Fam. Code, § 6383; Pen. Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the California Restraining and Protective Order System (CARPOS). (Fam. Code, § 6381(b)–(c).)

**This is a Court Order.**



### Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

### Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at (15) and (16) of this order to see if the judge granted an exception for brief and peaceful contact with the person in (1) as needed to follow court-ordered visits. Contact by the person in (2) that is **not** brief and peaceful is a violation of this order.

### Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item (15) is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code section 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

*(The clerk will fill out this part.)*

**Instructions to Clerk:** You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

Clerk's Certificate  
[seal]

#### —Clerk's Certificate—

I certify that this *Restraining Order After Hearing (Order of Protection)* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:  
**Submit to JC (without circulating for comment)**

**Title of proposal:** Rules and Forms: Miscellaneous Technical Changes

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Amend rules 3.906, 3.1700, and 7.550; revise forms CIV-050, EJ-140-INFO/SC-136-INFO, GC-367, INT-140, JV-239, JV-249, SC-104C, SC-105, SC-105A, SC-108, SC-108A, SC-112A, SC-120, SC-150, SC-152, SC-200-INFO, SC-222, SC-223, SC-225, SC-290, and WV-610

*Committee or other entity submitting the proposal:*  
 Judicial Council Staff

*Staff contact (name, phone and email):* James Barolo, 415-865-8928, james.barolo@jud.ca.gov

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): N/A

Project description from annual agenda: N/A

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

This proposal was not circulated for public comment because it is noncontroversial, involves technical revisions, and is therefore within the Judicial Council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

reviewed by EGG on (date) February 21, 2025

approved by Office Director (or Designee) (name) Michael Giden  
 on (date) February 27, 2025

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

includes forms that have been translated.

includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)

includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)

The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).

- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.:*

For business meeting on April 25, 2025

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Title

Rules and Forms: Miscellaneous Technical Changes

Rules, Forms, Standards, or Statutes Affected  
Amend rules 3.906, 3.1700, and 7.550; revise forms CIV-050, EJ-140-INFO/SC-136-INFO, GC-367, INT-140, JV-239, JV-249, SC-104C, SC-105, SC-105A, SC-108, SC-108A, SC-112A, SC-120, SC-150, SC-152, SC-200-INFO, SC-222, SC-223, SC-225, SC-290, and WV-610

Recommended by

Judicial Council staff  
James Barolo, Supervising Attorney  
Legal Services

Report Type

Action Required

Effective Date

July 1, 2025

Date of Report

February 27, 2025

Contact

James Barolo, 415-865-8928  
[james.barolo@jud.ca.gov](mailto:james.barolo@jud.ca.gov)

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### Executive Summary

Various members of the judicial branch, members of the public, and Judicial Council staff have identified errors in the California Rules of Court and in Judicial Council forms resulting from input errors, as well as minor changes needed to conform to changes in law or previous council actions. Judicial Council staff recommend making the necessary corrections to ensure that the forms conform to the law and to avoid causing confusion for court users, clerks, and judicial officers.

### Recommendation

Judicial Council staff recommend that the council, effective July 1, 2025:

1. Amend rule 3.906 of the California Rules of Court to correct a rules reference that was not updated when the rule was previously renumbered and reorganized and to correct a minor punctuation error.
2. Amend rule 3.1700 to correct a reference to the Code of Civil Procedure that was not updated when the code was amended and paragraph numbers were changed.
3. Amend rule 7.550(b)(8) and (9) to correct grammar and punctuation.
4. Revise *Statement of Damages (Personal Injury or Wrongful Death)* (form CIV-050) to correct the spelling of “society” in item 1d and to conform the citations in the form to the council’s style.
5. Revise *Information on Debtor’s Examinations Regarding Consumer Debt* (form EJ-140-INFO/SC-136-INFO) to replace “judgment debtor” with “judgment creditor” on page 7 and to update links in the form.
6. Revise *Provisional Order Accepting Transfer (California Conservatorship Jurisdiction Act)* (form GC-367) to delete the hyphen in “e-mail” in the caption and replace the cross-reference to “7” with “11” in item 10.
7. Revise *Temporary Qualification of Noncertified or Nonregistered Spoken Language Interpreter* (form INT-140) to correct the spelling of “Nonregistered” in the caption.
8. Revise *Order on Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-239) to correctly number existing item 12 as item 11 and to conform the citations in the form to the council’s style.
9. Revise *Notice of Court Hearing* (form JV-249) to replace “as” with “has” in the second sentence of the first bullet point at the top of page 3, to update links, and to conform the citations in the form to the council’s style.
10. Revise *How to Serve a Business or Public Entity (Small Claims)* (form SC-104C), *Request for Court Order and Answer* (form SC-105), *Order on Request for Court Order* (form SC-105A), *Request to Correct or Cancel Judgment and Answer (Small Claims)* (form SC-108), *Order on Request to Correct or Cancel Judgment* (form SC-108A), *Proof of Service by Mail (Small Claims)* (form SC-112A), *Defendant's Claim and ORDER to Go to Small Claims Court* (form SC-120), *Request to Postpone Trial (Small Claims)* (form SC-150), *Order on Request to Postpone Trial (Small Claims)* (form SC-152), *What to Do After the Court Decides Your Small Claims Case* (form SC-200-INFO), *Order on Request to Make Payments (Small Claims)* (form SC-222), *Declaration of Default in Payment of Judgment* (form SC-223), *Order on Declaration of Default in Payments* (form SC-225), and *Acknowledgment of Satisfaction of Judgment* (form SC-290) to update links, remove references to webpages that no longer exist, and make other minor formatting changes.



11. Revise *Notice of Hearing on Request to Modify/Terminate Workplace Violence Restraining Order* (form WV-610) to include an “a” before the first subitem of item 4.

The revised rules and forms are attached at pages 4–49.

### **Relevant Previous Council Action**

The Judicial Council has acted on these rules and forms previously. This proposal addresses minor corrections of items that were inadvertently or incorrectly included in the prior action.

### **Analysis/Rationale**

The changes to these rules and forms are technical in nature and necessary to correct inadvertent errors or incorrect references. They are needed to ensure that the rules and forms are correct and conform to the law.

### **Policy implications**

There are no policy implications to this proposal.

### **Comments**

Public comments were not solicited for this proposal because the recommendation is within the Judicial Council’s purview to approve without circulation.

### **Alternatives considered**

None.

### **Fiscal and Operational Impacts**

Operational impacts are expected to be minor. The proposed revisions may result in reproduction costs if courts provide hard copies of any of the forms recommended for revision. Because the proposed changes are technical corrections, case management systems are unlikely to need updating to implement them.

### **Attachments and Links**

1. Cal. Rules of Court, rules 3.906, 3.1700, and 7.550, at pages 4–5
2. Forms CIV-050, EJ-140-INFO/SC-136-INFO, GC-367, INT-140, JV-239, JV-249, SC-104C, SC-105, SC-105A, SC-108, SC-108A, SC-112A, SC-120, SC-150, SC-152, SC-200-INFO, SC-222, SC-223, SC-225, SC-290, and WV-610, at pages 6–49

Rules 3.906, 3.1700, and 7.550 of the California Rules of Court are amended, effective July 1, 2025, to read:

1 **Rule 3.906. Motion to withdraw stipulation**

2  
3 **(a) Good cause requirement**

4  
5 A motion to withdraw a stipulation for the appointment of a referee must be  
6 supported by a declaration of facts establishing good cause for permitting the party  
7 to withdraw the stipulation. The following do not constitute good cause for  
8 withdrawing a stipulation:

9  
10 (1) A declaration that a ruling is based on an error of fact or law.

11  
12 (2) The issuance of an order for an appropriate hearing site under rule ~~3.910~~  
13 3.931(c).

14  
15 **(b) Service, filing, and hearing of motion**

16  
17 \* \* \*

18  
19  
20 **Rule 3.1700. Prejudgment costs**

21  
22 **(a)** \* \* \*

23  
24 **(b) Contesting costs**

25  
26 (1) Striking and taxing costs

27  
28 Any notice of motion to strike or to tax costs must be served and filed 15  
29 days after service of the cost memorandum. If the cost memorandum was  
30 served by mail, the period is extended as provided in Code of Civil Procedure  
31 section 1013. If the cost memorandum was served electronically, the period is  
32 extended as provided in Code of Civil Procedure section ~~1010.6(a)(4)~~  
33 1010.6(a)(3).

34  
35 (2)–(4) \* \* \*

36  
37  
38 **Rule 7.550. Effect of waiver of account**

39  
40 **(a)** \* \* \*

1 (b) **Information required in report on waiver of account**

2  
3 The report required when an account has been waived must list the information  
4 required by law, including information as to:

5  
6 (1)–(7) \* \* \*

7  
8 (8) The amount of any fees or commissions paid or to be paid; and

9  
10 (9) The calculation of such fees or commissions as described in rule 7.705; ~~and~~.

11  
12

**- DO NOT FILE WITH THE COURT -  
-UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -**

TELEPHONE NO.:  ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name and Address</i> ):   ATTORNEY FOR ( <i>name</i> ):	<b>FOR COURT USE ONLY</b>   <b>DRAFT</b> <b>2025-02-24</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT:	
<b>STATEMENT OF DAMAGES</b> <b>(Personal Injury or Wrongful Death)</b>	CASE NUMBER:

To (*name of one defendant only*):  
 Plaintiff (*name of one plaintiff only*):  
 seeks damages in the above-entitled action, as follows:

- |  | AMOUNT   |
|--|----------|
| <b>1. General damages</b>  |          |
| a. <input type="checkbox"/> Pain, suffering, and inconvenience .....   | \$ _____ |
| b. <input type="checkbox"/> Emotional distress. ....   | \$ _____ |
| c. <input type="checkbox"/> Loss of consortium .....   | \$ _____ |
| d. <input type="checkbox"/> Loss of society and companionship ( <i>wrongful death actions only</i> ) .....                                       | \$ _____ |
| e. <input type="checkbox"/> Other ( <i>specify</i> ) .....   | \$ _____ |
| f. <input type="checkbox"/> Other ( <i>specify</i> ) .....   | \$ _____ |
| g. <input type="checkbox"/> Continued on Attachment 1.g.   |          |
| <b>2. Special damages</b>  |          |
| a. <input type="checkbox"/> Medical expenses ( <i>to date</i> ) .....  | \$ _____ |
| b. <input type="checkbox"/> Future medical expenses ( <i>present value</i> ) .....   | \$ _____ |
| c. <input type="checkbox"/> Loss of earnings ( <i>to date</i> ) .....  | \$ _____ |
| d. <input type="checkbox"/> Loss of future earning capacity ( <i>present value</i> ) .....   | \$ _____ |
| e. <input type="checkbox"/> Property damage .....  | \$ _____ |
| f. <input type="checkbox"/> Funeral expenses ( <i>wrongful death actions only</i> ) .....  | \$ _____ |
| g. <input type="checkbox"/> Future contributions ( <i>present value</i> ) ( <i>wrongful death actions only</i> ) .....                           | \$ _____ |
| h. <input type="checkbox"/> Value of personal service, advice, or training ( <i>wrongful death actions only</i> ) .....                          | \$ _____ |
| i. <input type="checkbox"/> Other ( <i>specify</i> ) .....   | \$ _____ |
| j. <input type="checkbox"/> Other ( <i>specify</i> ) .....   | \$ _____ |
| k. <input type="checkbox"/> Continued on Attachment 2.k.   |          |
| 3. <input type="checkbox"/> <b>Punitive damages:</b> Plaintiff reserves the right to seek punitive damages in the amount of ( <i>specify</i> ).. | \$ _____ |
| when pursuing a judgment in the suit filed against you.  |          |

Date: \_\_\_\_\_

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

PLAINTIFF: DEFENDANT:	CASE NUMBER:
--------------------------	--------------

**PROOF OF SERVICE**

(After having the other party served as described below, with any of the documents identified in item 1, have the person who served the documents complete this Proof of Service. Plaintiff cannot serve these papers.)

1. I served the
  - a.  Statement of Damages     Other (specify):
  - b. on (name):
  - c. by serving  defendant     other (name and title or relationship to person served):
  - d.  by delivery     at home     at business
    - (1) date:
    - (2) time:
    - (3) address:
  - e.  by mailing
    - (1) date:
    - (2) place:
2. Manner of service (check proper box):
  - a.  **Personal service.** By personally delivering copies. (Code Civ. Proc., § 415.10.)
  - b.  **Substituted service on corporation, unincorporated association (including partnership), or public entity.** By leaving, during usual office hours, copies in the office of the person served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (Code Civ. Proc., § 415.20(a).)
  - c.  **Substituted service on natural person, minor, conservatee, or candidate.** By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (Code Civ. Proc., § 415.20(b).) **(Attach separate declaration or affidavit stating acts relied on to establish reasonable diligence in first attempting personal service.)**
  - d.  **Mail and acknowledgment service.** By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, together with two copies of the form of notice and acknowledgment and a return envelope, postage prepaid, addressed to the sender. (Code Civ. Proc., § 415.30.) **(Attach completed acknowledgment of receipt.)**
  - e.  **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. (Code Civ. Proc., § 415.40.) **(Attach signed return receipt or other evidence of actual delivery to the person served.)**
  - f.  Other (specify code section):  
 additional page is attached.

3. At the time of service I was at least 18 years of age and not a party to this action.

4. Fee for service: \$

5. Person serving:

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> California sheriff, marshal, or constable</li> <li>b. <input type="checkbox"/> Registered California process server</li> <li>c. <input type="checkbox"/> Employee or independent contractor of a registered California process server</li> <li>d. <input type="checkbox"/> Not a registered California process server</li> <li>e. <input type="checkbox"/> Exempt from registration under Business and Professions Code section 22350(b)</li> </ol> | <ol style="list-style-type: none"> <li>f. Name, address, and telephone number and, if applicable, county of registration and number:</li> </ol> |
|--|---|

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

*(For California sheriff, marshal, or constable use only)*  
I certify that the foregoing is true and correct.

Date:

Date:

\_\_\_\_\_  
 (SIGNATURE)

\_\_\_\_\_  
 (SIGNATURE)

## GENERAL INFORMATION

The process described in this information sheet applies when a judgment awarded on or after January 1, 2025, concerns consumer debt. The judgment can be awarded in a small claims case or another type of civil case. This information sheet tells the judgment creditor (the person or business that won the case and is owed money) how to ask for a debtor's examination in a case where the judgment concerns consumer debt. It also tells the judgment debtor (the person or business that owes the money) how they can respond to that request by providing written information instead of going to court. ([Code Civ. Proc., § 708.111.](#))

**If the judgment is not for consumer debt or was not awarded on or after January 1, 2025, do not use the forms or procedures that are described in this information sheet.**

Go to [selfhelp.courts.ca.gov/civil-lawsuit/judgment](http://selfhelp.courts.ca.gov/civil-lawsuit/judgment) for information on collecting and paying money judgments.

### 1 How can I tell if a judgment concerns consumer debt?

Consumer debt means debt for money, property, insurance, or services that are primarily for personal, family, or household purposes. Consumer debt **does not include** rental debt; judgments for unpaid wages, damages, or penalties owed to an employee; or debts incurred due to, or obtained by, tortious or fraudulent conduct.

Look at the judgment issued by the court to find out if it concerns consumer debt:

- **Small Claims Cases:** If you received *Notice of Entry of Judgment* (form SC-130 or SC-200), the form will say the judgment includes an amount “concerning consumer debt (Code Civ. Proc., § 708.111).” Look at item 10 on form SC-130 or item 9 on form SC-200.
- **Other Civil Cases:** If you received *Judgment* (form JUD-100), item 7 will say the judgment includes an amount “concerning consumer debt (Code Civ. Proc., § 708.111).” If the judgment was not issued on a Judicial Council form, you will need to figure out if the judgment includes an amount that concerns consumer debt.

### 2 What is a debtor's examination?

When the final court order at the end of a lawsuit (the judgment) orders one person or business to pay money to another person or business, sometimes the judgment creditor wants information to help them collect it (enforce the judgment). The judgment creditor can ask the court to order the judgment debtor to come to court and give information under oath about what they earn (income) or own (assets). This is called a “debtor’s examination.” This information can help the judgment creditor find out whether they can take the money they are owed from the judgment debtor’s income or assets.

### 3 How do I use this information sheet?

- **Judgment Creditors:** If the court ordered the other party to pay you money, you are the **judgment creditor**. This information sheet explains how you can ask the court to order a debtor’s examination and respond if the judgment creditor gives their financial information in writing:
  - Which form should I use to ask for a debtor’s examination? Read [4](#) .
  - How do I complete, file, and serve the form to ask for a debtor’s examination? Read [5](#) and [6](#) .
  - How do I respond to *Notice of Financial Statement—Consumer Debt* (form EJ-143)? Read [7](#)–[10](#) .
- **Judgment Debtors:** If the court ordered you to pay money to the other party, you are the **judgment debtor**. This information sheet describes how to respond to forms you receive from the judgment creditor:
  - What do I do if I receive form EJ-141 or form SC-136? Read [12](#) .
  - How do I provide my financial information in writing? Read [13](#)–[17](#) .
  - What do I do if I receive *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146)? Read [18](#) .
  - What do I do if I receive *Application and Order to Require Examination After Submission of Financial Statement* (form EJ-147)? Read [19](#) .
  - If you have a disability or need help to understand English, read page 8.



### INFORMATION FOR THE JUDGMENT CREDITOR

This part of the information sheet is for the judgment creditor (the person or business who won the case and is owed money) in a case concerning consumer debt. It tells them how to ask for a debtor's examination.

#### 4 Which form should I use to ask for a debtor's examination in my case?

If your case is **not** a small claims case and you want to ask the court to order a debtor's examination, complete *Application and Order to Appear for Examination—Consumer Debt* (form [EJ-141](#)).

If your case is a **small claims case**, you can use either form EJ-141 or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form [SC-136](#)):

- Use form SC-136 if the judgment debtor has not sent you a completed *Judgment Debtor's Statement of Assets* (form SC-133) and you want the court to require them to do so. The judgment debtor must send you form SC-133 if they do not pay within 30 days after the court clerk mailed or handed them the *Notice of Entry of Judgment* (form SC-130 or SC-200). Form SC-136 requires the judgment debtor to personally appear in court with a completed form SC-133 and answer questions about their money and property.
- If you want the judgment debtor to come to court for a debtor's examination, and you do not wish to enforce your right to receive form SC-133, or you already received form SC-133, then use form EJ-141.

If the court has previously ordered the judgment debtor to appear for examination and you want to ask for another examination date, read item (11).

Use *Application and Order for Appearance and Examination* (form AT-138/EJ-125), and do **not** use form EJ-141 or SC-136, if:

- You want to ask for a debtor's examination and the judgment is **not** for consumer debt, **or**
- You want to ask for an examination of someone who is not the judgment debtor, even if the judgment is for consumer debt.

#### 5 How do I complete and file form EJ-141 or form SC-136?

To complete *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136), follow these steps:

- Fill out item 1 (the judgment debtor's name) on page 1 and all the items in the "Application for This Order" section on page 2 of the form.
- Contact the court clerk about setting a hearing date, time, and location. When setting the hearing date, make sure you will have enough time to serve the form, as explained in item (6). Enter the hearing date, time, and location you received from the clerk in the "Hearing Date" section on page 1.
- Sign and date the form.
- Make at least one copy of the completed form for your records. You will need to bring a copy with you to the hearing.

After you complete form EJ-141 or form SC-136, file the completed original form with the court. You must pay a filing fee unless you are eligible for a fee waiver.

#### 6 How do I serve form EJ-141 or form SC-136?

Serve (give) a copy of completed form EJ-141 or SC-136 on the judgment debtor by following the steps below. The order for the judgment debtor to come to court for an examination cannot be enforced unless you complete all these steps:

- The form must be served at least **30 days** before the date of the examination.
- Have a copy of the form served on the judgment debtor in person by a sheriff, marshal, or registered process server. If you are using form EJ-141, the form can also be served by the person appointed in item 3 of that form.
- You must file the original proof of service with the court. Ask your court if they have a deadline for filing the proof of service. For more information about serving and proof of service, read [selfhelp.courts.ca.gov/civil-lawsuit/judgment/collect/ask-debtor-exam-consumer-debt](https://selfhelp.courts.ca.gov/civil-lawsuit/judgment/collect/ask-debtor-exam-consumer-debt).



If you want to ask the sheriff to serve your form, you can use *Request for Sheriff to Serve Court Papers* (form [SER-001](#)). If you were given a fee waiver in the case, the sheriff will serve the papers for you at no cost.

When serving form EJ-141 or form SC-136 on the judgment debtor, you must include blank copies of all the following forms:

- *Information on Debtor's Examinations Regarding Consumer Debt* (form [EJ-140-INFO/SC-136-INFO](#)),
- *Financial Statement—Consumer Debt* (form [EJ-144](#)),
- *Notice of Financial Statement—Consumer Debt* (form [EJ-143](#)),
- *Exemptions From the Enforcement of Judgments* (form [EJ-155](#)), and
- *Current Dollar Amounts of Exemptions From Enforcement of Judgments* (form [EJ-156](#)).

### **7 What do I do if I receive Notice of Financial Statement—Consumer Debt (form EJ-143)?**

The judgment debtor does not have to appear at the scheduled debtor's examination if they respond to your request by filing *Notice of Financial Statement—Consumer Debt* (form EJ-143) with the court and serving you with a copy of that form and a completed *Financial Statement—Consumer Debt* (form EJ-144) no later than 15 days before the examination.

If the judgment debtor checked item 2 on *Notice of Financial Statement—Consumer Debt* (claiming that all of their money and property are exempt from enforcement of judgment), the court will cancel the scheduled debtor's examination. If after reading *Financial Statement—Consumer Debt* you still want to hold a debtor's examination, you can complete, serve, and file *Notice of Motion and Motion to Require Examination—Consumer Debt* (form [EJ-146](#)).

### **8 How do I complete Notice of Motion and Motion to Require Examination—Consumer Debt (form EJ-146)?**

*Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146) asks the court to order the judgment debtor to come to court for an examination even though they provided *Financial Statement—Consumer Debt* (form EJ-144).

You will need to complete your *Notice of Motion and Motion to Require Examination—Consumer Debt* in time to file it with the court no more than **15 days** after the judgment debtor filed *Notice of Financial Statement—Consumer Debt* (form EJ-143).

To complete *Notice of Motion and Motion to Require Examination—Consumer Debt*, follow these steps:

- Contact the clerk of the court about setting a hearing date, time, and place. When setting the hearing date, make sure you will have enough time to serve form EJ-146, as explained in item **9**.
- Complete items 1–7 on *Notice of Motion and Motion to Require Examination—Consumer Debt*. In item 7, explain why you think an examination of the judgment debtor is needed even though they provided a financial statement.
- If the judgment you are trying to enforce concerns debt secured by real property or personal property, complete items 8 and 9.
- If you do not wish to appear at the hearing on your motion, check the box in item 10. If you do not appear, the court will decide based on your *Notice of Motion and Motion to Require Examination—Consumer Debt*, the judgment debtor's *Financial Statement—Consumer Debt*, and the arguments the judgment debtor makes at the hearing.
- Sign and date the form. If you have an attorney, they must also sign and date the form.
- Make a copy of the completed form to serve on the judgment debtor.
- Make at least one copy of the completed form for your records. If you appear at the hearing, you will need to bring a copy of the completed form with you.





**9 How do I serve and file form EJ-146?**

After you complete *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146), serve (give) a copy of the completed form on the judgment debtor by following these steps:

- Someone who is not one of the people involved in the lawsuit must serve the papers on the judgment debtor.
- *Notice of Motion and Motion to Require Examination—Consumer Debt* must be served at least **16 court days** before the hearing if it is personally served. If the notice is sent by fax, express mail, or other method of overnight delivery, the 16-court-day period is increased by 2 calendar days. If the notice is served by mail from and to an address within California, the 16-court-day period is increased by 5 calendar days. Electronic service may be allowed (consent is required before electronically serving the judgment debtor if they do not have an attorney) and extends the time for service by 2 court days. For more information on the time to serve the notice and electronic service, read Code of Civil Procedure sections [708.111\(d\)\(3\)](#), [1005](#), and [1010.6](#) (available at [leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov)).
- Have the server fill out and sign a proof of service. Proof of service forms are available at [courts.ca.gov/rules-forms/find-your-court-forms](http://courts.ca.gov/rules-forms/find-your-court-forms).

In addition to serving form EJ-146, you must also file the completed original form by following these steps:

- File the completed original *Notice of Motion and Motion to Require Examination—Consumer Debt* with your original signature. You must pay a filing fee unless you are eligible for a fee waiver.
- Include a copy of the judgment debtor's completed *Financial Statement—Consumer Debt* (form EJ-144) with your filing.
- File *Notice of Motion and Motion to Require Examination—Consumer Debt* and the copy of the judgment debtor's *Financial Statement—Consumer Debt* with the court no more than **15 days** after the judgment debtor filed *Notice of Financial Statement—Consumer Debt* (form EJ-143).
- You must file the original proof of service with the court. Ask your court if they have a deadline for filing the proof of service.

If you go to the hearing on your motion for examination, bring a completed copy of form EJ-146 and a copy of the judgment debtor's *Financial Statement—Consumer Debt* (form EJ-144). You should also bring a copy of *Application and Order to Require Examination After Submission of Financial Statement—Consumer Debt* (form [EJ-147](#)). Complete all of form EJ-147 except for the hearing date and time on page 1. If the court grants your motion for an examination, the judicial officer may want to sign form EJ-147 at the hearing to schedule the examination.

**10 What do I do after the hearing on my motion to require examination?**

If the court has heard your motion to require examination and ruled that the judgment debtor must appear for an examination, you must complete and file *Application and Order to Require Examination After Submission of Financial Statement—Consumer Debt* (form [EJ-147](#)) to schedule the examination ordered by the court. There is no fee to file form EJ-147.

You must serve form EJ-147 on the judgment debtor at least **30 days** before the date of the hearing. You can serve form EJ-147 by mail. Electronic service may be allowed (consent is required before electronically serving the judgment debtor if they do not have an attorney; read Code of Civil Procedure section [1010.6](#) for more information on electronic service). Personal service is not required.

**11 What if I want to ask for another examination of the judgment debtor?**

If the court ordered the judgment debtor to come to court for an examination after you filed *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136) and then the examination is canceled for any reason, you cannot file another application to examine that judgment debtor until one year from the date you filed your previous application.

To ask for a second examination of the judgment debtor, use form EJ-141. Do not use form SC-136.



**INFORMATION FOR  
THE JUDGMENT DEBTOR**

This part of the information sheet is for the judgment debtor (the person or business who lost the case and owes money) in a case concerning consumer debt. It tells them how they can respond to an order to appear in court to answer questions about money they earn and property they own.

**12 What do I do if I receive form EJ-141 or form SC-136?**

If you receive *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136), you must either appear in court for the examination at the time and place listed in item 2 on that form **or** provide your financial information in writing (see steps below) to the judgment creditor. You do not have to appear in court for the examination if you provide your financial information in writing to the judgment creditor and file a notice with the court no later than 15 days before the examination.

If you do not appear in court for the examination or provide your financial information in writing, the court may make you pay the judgment creditor's reasonable attorney's fees and costs.

**13 How do I provide my financial information in writing?**

To provide your financial information in writing to the judgment creditor, follow these steps:

- Complete and serve *Financial Statement—Consumer Debt* (form [EJ-144](#)) as explained in 14 and 15. A copy of this form should have been included with the form EJ-141 or form SC-136 you received from the judgment creditor.
- Complete, serve, and file *Notice of Financial Statement—Consumer Debt* (form [EJ-143](#)) and the proof of service for form EJ-144, as explained in 16. A copy of form EJ-143 should have been included with the form EJ-141 or form SC-136 you received from the judgment creditor.

You can get also get copies of forms EJ-143 and EJ-144 from [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms) or the self-help center at your local court.

**14 How do I complete *Financial Statement—Consumer Debt* (form EJ-144)?**

To complete *Financial Statement—Consumer Debt* (form EJ-144), follow these steps:

- Read the entire form to see the information it asks for.
- Do not include bank account numbers or other account numbers on the form.
- To fill out items 1 and 2, decide if any of your income or assets are exempt (cannot be collected by a judgment creditor). (Read 15, “How do I figure out if my income or assets are exempt?”)
- Fill out the other items on the form. If you checked the box in item 2 (indicating that some or all of your money or property is exempt because it is needed to support you, your spouse, or persons who depend on you and your spouse for support), you will need to provide information about your spouse or dependents in some items on the form. The instructions for each item will tell you if you need to do so.
- Sign and date the form.
- If you checked the box in item 2, your spouse must also sign and date the form, unless you and your spouse live separate and apart.
- Make at least one copy of the completed form to keep for your records. You will need to bring a completed copy of the form with you if you are ordered to appear in court. (Read item 17, “What happens after I provide my financial information in writing?”)

After you complete form EJ-144, you must serve (give) the original signed form EJ-144 on the judgment creditor **no later than 15 days** before the examination (the date and time listed in item 2 on the form EJ-141 or form SC-136 you received from the judgment creditor).

**Do not file form EJ-144 with the court.**

Before serving form EJ-144, read item 16, “How do I complete *Notice of Financial Statement—Consumer Debt* (form EJ-143).” The instructions for serving form EJ-144 are the same as for serving form EJ-143, and you can serve forms EJ-143 and EJ-144 at the same time.



**15 How do I figure out if my income or assets are exempt?**

Some types of money you earn (income) and money and property you own (assets) are exempt, meaning they cannot be collected by a judgment creditor.

To figure out if any of your money or property is exempt, read *Exemptions From the Enforcement of Judgments* (form [EJ-155](#)). A copy of this form should be included with the form EJ-141 or form SC-136 you received from the judgment creditor. You can also get a copy of this form from [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms) or from the self-help center at your local court.

Form EJ-155 lists different kinds of money and property that are exempt. You will need to look for each type of money and property you have in the list. Not all types of money and property are exempt, so some of the money or property you have might not be listed on form EJ-155.

If any of your money or property is listed on form EJ-155, you will need to figure out how much of it is exempt. For some types of money and property, only a specific dollar amount is exempt. For other types, the entire amount or value is exempt. And for other types, the exempt amount depends on your situation.

To figure out the exempt amount of each type of money and property you have, read *Current Dollar Amounts of Exemptions From Enforcement of Judgments* (form EJ-156). A copy of this form should be included with the form EJ-141 or form SC-136 you received from the judgment creditor. You can also get a copy of this form from [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms) or from the self-help center at your local court.

Form EJ-156 lists the exempt amounts for some types of money and property. If the money or property you have is not listed on form EJ-156, then you will need to read the specific law (the code and section number) listed for that type of money or property on form EJ-155. For example, form EJ-155 lists Code of Civil Procedure (CCP) section 704.070 as the code and section number for “cash.”

You can get a copy of the California laws listed on form EJ-155 at [leginfo.legislature.ca.gov](https://leginfo.legislature.ca.gov). The sections of the United States Code that provide exemptions (shown as “USC” on form EJ-155) can be found at [uscode.house.gov/](https://uscode.house.gov/).

Some types of money and property are exempt if they are needed to support the basic needs of you and your family. The law for these types will say they are “exempt to the extent necessary for the support of the judgment debtor and the spouse and dependents of the judgment debtor.” Under those laws, the exempt amount is the amount needed to support your basic needs and the basic needs of your spouse or anyone who depends on you or your spouse for support.

After you have figured out if any of your money or property is exempt, complete items 1 and 2 on the *Financial Statement—Consumer Debt* (form EJ-144):

- If none of your money or property is exempt, check box 1a.
- If all of your money or property is exempt, check box 1b.
- If some, but not all, of your money or property is exempt, check box 1c.
- If any of your money or property is exempt because it is needed to support the basic needs of you and your family, check the box in item 2.

**16 How do I complete Notice of Financial Statement—Consumer Debt (form EJ-143)?**

Do not fill out *Notice of Financial Statement—Consumer Debt* (form EJ-143) until after you complete *Financial Statement—Consumer Debt* (form EJ-144).

To complete *Notice of Financial Statement—Consumer Debt*, follow these steps:

- Enter the name and address of the judgment creditor. You can use the address the judgment creditor provided on form EJ-141 or form SC-136.
- In item 1, enter the date, time, and location of the examination scheduled by the court. This is the information listed in item 2 on the form EJ-141 or SC-136 that you received from the judgment creditor.



- Check the box in item 2 if you also checked box 1b on your *Financial Statement—Consumer Debt* (form EJ-144), which says that all of your income and assets are exempt.
- Make a copy of the completed form to serve on (give to) the judgment creditor.
- Make at least one copy of the completed form for your records. You will need to bring a completed copy of the form with you if you are ordered to appear in court. (Read 17, “What happens after I provide my financial information in writing?”)
- Serve (give) a copy of the completed *Notice of Financial Statement—Consumer Debt* (form EJ-143) on the judgment creditor. Form EJ-143 can be served by mail. Electronic service may be allowed (consent is required before electronically serving the judgment creditor if they do not have an attorney; read Code of Civil Procedure section 1010.6 for more information on electronic service). You can serve form EJ-143 at the same time as form EJ-144.
- Someone who is not one of the people involved in the lawsuit must serve the papers if they are served personally or by mail. Have the server fill out and sign a proof of service. Proof of service forms are available at [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms).
- File completed form EJ-143 with the court. You must file the completed original form EJ-143 with your original signature. When you file EJ-143, you must also file the completed original proof of service for form EJ-144. If you file forms EJ-143 and EJ-144 at the same time, you can use the same proof of service for both.
- If you have a separate proof of service for form EJ-143, you must file that proof of service with the court. Ask your court if there is a filing deadline.

You must file form EJ-143 and the proof of service for form EJ-144 **no later than 15 days** before the date of the examination (shown in item 2 of the form EJ-141 or form SC-136 you received from the judgment creditor). If you do not file form EJ-143 and the proof of service for form EJ-144 by this deadline, you must attend the examination at the time and place listed in item 2 on *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136).

### 17 What happens after I provide my financial information in writing?

If you served and filed *Notice of Financial Statement—Consumer Debt* (form EJ-143) and a proof of service for *Financial Statement—Consumer Debt* (form EJ-144) no later than 15 days before the date of the examination, you do not have to appear for the examination at the time and place listed in item 2 on *Application and Order to Appear for Examination—Consumer Debt* (form EJ-141) or *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt* (form SC-136).

If you checked item 2 on form EJ-143, the court will cancel the examination. If the court cancels the examination, the judgment creditor can object by filing *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146).

### 18 What do I do if I receive *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146)?

*Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146) asks the court to order you to come to court for an examination even though you have provided your financial information in writing. On that form, the judgment creditor will explain why they think an examination is needed.

The court will hold a hearing at the date and time listed in item 2 on form EJ-146 to decide if an examination is needed. You must appear at the hearing.

The hearing is your opportunity to explain why you think the information on your *Financial Statement—Consumer Debt* (form EJ-144) is enough and why the judgment creditor does not need to ask you questions at an examination. Take a copy of your completed *Notice of Financial Statement—Consumer Debt* (form EJ-143) and *Financial Statement—Consumer Debt* (form EJ-144) with you to the hearing.



**19 What do I do if I receive *Application and Order to Require Examination After Submission of Financial Statement—Consumer Debt* (form EJ-147)?**

If the court decides that an examination is needed after hearing the judgment creditor's *Notice of Motion and Motion to Require Examination—Consumer Debt* (form EJ-146), you will receive *Application and Order to Require Examination After Submission of Financial Statement—Consumer Debt* (form EJ-147) from the judgment creditor. Form EJ-147 schedules your examination, which is when you appear in court to provide information about your money and property. You must appear on the date and time listed in item 2 on form EJ-147.

At court on the day of the examination, the court will call the case. You will be administered an oath as if you were testifying in court. Then, typically, the court will tell you and the judgment creditor where you can meet privately to conduct the examination. The judgment creditor will ask you questions about your money and property.

If you do not appear at the time and place listed in item 2 on form EJ-147, the court may make you pay the judgment creditor's attorney's fees and costs.

**OTHER INFORMATION**

This part of the information sheet is for the judgment creditor and the judgment debtor.

**20 What if I need help to understand English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use *Request for Interpreter* (form [INT-300](#)) or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](http://selfhelp.courts.ca.gov/request-interpreter).

**21 What if I have a disability?**

If you have a disability and need accommodation while you are at court, you can use *Disability Accommodation Request* (form [MC-410](#)) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see *How to Request a Disability Accommodation for Court* (form [MC-410-INFO](#)).

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:  NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>   <b>DRAFT 022525</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name):	CONSERVATEE
<b>PROVISIONAL ORDER ACCEPTING TRANSFER</b> <b>(California Conservatorship Jurisdiction Act)</b>	CASE NUMBER:

1. The court held a hearing on a petition to accept the transfer of this conservatorship proceeding from (state): (the transferring state) on (date): .
2. The court has read and considered the report of the preliminary investigation conducted under section 2002(d), which was filed on (date): . Based on the report and all other evidence before the court,

**THE COURT FINDS THAT:**

3. Notice of the hearing was given as required by law.
4.  The California Conservatorship Jurisdiction Act applies to these proceedings. This court has jurisdiction to appoint a conservator, including a temporary conservator, in these proceedings under sections 1993 and 1994 of the Probate Code.
5.  The transfer of the conservatorship proceeding to California would not be contrary to the conservatee's interests.
6.  Under the law of the transferring state, the conservator is eligible for appointment in California.
7. a.  Under California law, the conservator is eligible for appointment in California; or  
 b.  Under California law, the conservator is **not** eligible for appointment in California but the petition has identified a person who is willing to serve as conservator and is eligible for appointment in California.
8. A court of record in the transferring state has issued a provisional order transferring this proceeding to California.

**THE COURT ORDERS THAT:**

9. The petition to accept the transfer of this conservatorship proceeding to California is provisionally granted.
10. The court investigator must complete the investigation required by Probate Code section 1851.1 and report its findings in writing as required under section 1851(b)(1) no fewer than 15 days before the date of the hearing set in item **11**.
11. A hearing is set in this department on (date): , no more than 60 days from the date of this order, to determine whether the conservatorship needs to be modified to conform to California law and to review the conservatorship. The conservatee must attend that hearing unless excused under sections 1825 and 1851.1(c) of the Probate Code.

Date: \_\_\_\_\_ (JUDICIAL OFFICER)

INTERPRETER NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: WORK NO.: EMAIL ADDRESS:	FOR COURT USE ONLY  <h2 style="margin: 0;">DRAFT</h2> <h3 style="margin: 0;">Not approved by the Judicial Council</h3>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<b>TEMPORARY QUALIFICATION OF NONCERTIFIED OR NONREGISTERED SPOKEN LANGUAGE INTERPRETER</b>	CASE NUMBER:
This form is used to establish the qualifications of a temporary interpreter for the proceeding listed below. Under California Rules of Court, rule 2.893, if a certified or registered interpreter is unavailable, a temporary interpreter may be used for a single, brief, routine matter before the court to prevent burdensome delay or in other unusual circumstances.	

**CASE NAME:**

**DATE OF PROCEEDING:**

**TYPE OF PROCEEDING:**

**LANGUAGE OR LANGUAGES REQUIRED:**

The following questions may be addressed to the noncertified or nonregistered interpreter as voir dire, or the court may have the prospective interpreter answer the questions in writing on this form. All information provided by the temporary interpreter should be considered by the court to determine whether the interpreter may be used to interpret the required languages in the proceeding above.

**1. General education**

a. *(Check highest level degree attained.)*

- N/A (No degree)  
  High school  
  Jr. college  
  University  
  Graduate degree  
  Postgraduate

b. Name of institution:

- (1) Degree awarded: Year: Major:
- (2) Degree awarded: Year: Major:

**2. Language training**

a. How did you learn English? *(Write N/A if not interpreting in English):*

b. How did you learn the non-English language or languages to be interpreted?

c. In which languages were you educated?

Language <i>(specify):</i>	Elementary	Jr. high	High school	University
(1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

d. What languages  are  were spoken at home *(specify):*

e. Have you ever been used as an interpreter in a court or administrative hearing?  Yes  No

If yes, please explain:

INTERPRETER (name):	CASE NUMBER:
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**3. Disqualifications, decertifications, or criminal offenses**

a. Have you had any certifications that have lapsed, or have you been disqualified from interpreting in any court or administrative hearing?  Yes  No

Please provide detail:

b. What is your relationship to the party?  Acquainted  Related  Do not know party

Please explain or provide detail:

c. Have you ever been convicted of violating any federal law, state law, county or municipal law, regulation, or ordinance? (Do not include traffic infractions.)  Yes  No

If yes, please explain:

**TEMPORARY INTERPRETER DECLARATION**

**I am 18 years of age or older and I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▶

\_\_\_\_\_  
(SIGNATURE OF PROSPECTIVE INTERPRETER)

**FINDING OF QUALIFICATION FOR TEMPORARY APPOINTMENT  
(California Rules of Court, rule 2.893)**

**THE COURT FINDS**

1. No certified or registered interpreter is available, and good cause exists to qualify and appoint a temporary interpreter for this single, brief, and routine matter before the court.
2. The limited English proficient person has been informed of their right to an interpreter and has waived the appointment of a certified or registered interpreter, or an interpreter who could be provisionally qualified.

**THE COURT ORDERS** that the above-named individual is qualified to interpret in the language or languages specified above and is appointed to interpret in this proceeding. **This order expires at the conclusion of the listed proceeding.**

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(JUDICIAL OFFICER)



ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:  NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY   <b>DRAFT</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CHILD'S/NONMINOR'S NAME: CHILD'S/NONMINOR'S DATE OF BIRTH:	
<b>Order on Placement in Short-Term Residential Therapeutic Program or                  Community Treatment Facility</b>	CASE NUMBER:

1. a.  (1) Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
 (2) Judicial officer: \_\_\_\_\_  
 (3) Parties and attorneys present: \_\_\_\_\_
- b.  The court reviews the placement without a hearing. The requirements in rule 5.618(f)(1) of the California Rules of Court have been met.
- c.  The court reviews the placement without a hearing after the conditions required by local rule (specify local rule number): \_\_\_\_\_ created under rule 5.618(f)(4) of the California Rules of Court have been met.
2. The court has read and considered the following:
- a.  The report described in **Welfare and Institutions** Code **section** 361.22(c) or **section** 727.12(c) filed on (date): \_\_\_\_\_
- b.  *Input on Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-236) filed by: \_\_\_\_\_ on (date): \_\_\_\_\_
- c.  *Input on Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-236) filed by: \_\_\_\_\_ on (date): \_\_\_\_\_
- d.  CASA report dated: \_\_\_\_\_
- e.  Other: \_\_\_\_\_
- f.  Other: \_\_\_\_\_

**THE COURT FINDS AND ORDERS**

3. a.  Notice requirements were met. The following items were served within the time prescribed by law:
- (1)  *Placing Agency's Request for Review of Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-235);
- (2)  *Input on Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-236);
- (3)  the report as described in **Welfare and Institutions** Code **section** 361.22(c) or **section** 727.12(c); and
- (4)  *Notice of Request for Approval of Short-Term Residential Therapeutic Program or Community Treatment Facility Without a Hearing* (form JV-240), if approval of the placement without a hearing is being requested.
- b.  Notice requirements were not met. The following items were not served within the time prescribed by law:

CHILD'S/NONMINOR'S NAME:	CASE NUMBER:
--------------------------	--------------

4.  The court on its own motion finds that a continuance is not contrary to the interest of the child or nonminor, and good cause exists for the continuance as stated below (hearing must be concluded no later than 60 days after the start of the placement):
5. The needs of the child or nonminor dependent
- a.  can be met through placement in a family-based setting.
- b.  cannot be met through placement in a family-based setting. The placement in a short-term residential therapeutic program or community treatment facility, as applicable,  does  does not provide the most effective and appropriate care setting for the child or nonminor dependent in the least restrictive environment.
6. A short-term residential therapeutic program or community treatment facility level of care, as applicable,  is  is not consistent with the short- and long-term mental and behavioral health goals and permanency plan for the child or nonminor dependent.
7. In the case of an Indian child, there  is  is not clear and convincing evidence of good cause to depart from the placement preferences stated in **Welfare and Institutions** Code **section** 361.31.
8. The short-term residential therapeutic program or community treatment facility identified in the *Placing Agency's Request for Review of Placement in Short-Term Residential Therapeutic Program or Community Treatment Facility* (form JV-235) filed on (date): \_\_\_\_\_, is
- approved.
- disapproved. The social worker or probation officer is ordered to transition the child or nonminor dependent to a placement setting that is consistent with the determinations in items 5, 6, and 7 within 30 days.
9. The basis for the court's determination in item 8 has been stated on the record or is stated in writing here:
- a.  The court's determination in item 8 is based on the findings in items 5, 6, and 7.
- b.  The placement  does  does not promote the child's or nonminor dependent's best interests.
- c.  The child or nonminor dependent's needs can be met in a placement in a lower level of care.
- d.  Another placement in a lower level of care is available and willing to accept the child or nonminor dependent.
- e.  Other:

10.  Other orders:

11.  Next hearing date:

Time:

Dept.:

Room:

Date: \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer

*Clerk stamps date here when form is filed.*

**DRAFT**  
**Not approved by**  
**the Judicial Council**

**Instruction:** The person asking for a restraining order must complete items ① and ②. The court will complete the rest of this form.

**① Person Asking for Protection**

Name: \_\_\_\_\_

Your lawyer (if you have one for this case)

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

*Fill in court name and street address:*

**Superior Court of California, County of**

**② Person to Be Restrained**

Name: \_\_\_\_\_

**③ Notice of Hearing**

**A court hearing is scheduled on the request for restraining orders against the person in ②:**

*Court fills in case number when form is filed.*

**Case Number:**



Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

Name and address of court, if different from above: \_\_\_\_\_

You may attend your court date remotely, such as by phone or video conference. For more information, go to the court's website for the county listed above. To find the court's website, go to [courts.ca.gov/find-my-court.htm](https://courts.ca.gov/find-my-court.htm).

**To the person in ②:**

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant a restraining order that could last up to three years. After you receive a copy of the order, you could be arrested if you violate the order.

**④ Temporary Restraining Orders (Any orders granted are attached on  form JV-250  form JV-260)**

a. Temporary Restraining Orders (*any order requested under Welfare and Institutions Code section 213.5*)  
(Check one)

- (1)  All **granted** until the court hearing.
- (2)  All **denied** until the court hearing. (*Reasons for denial are given below in b.*)
- (3)  Partly **granted** and partly **denied** until the court hearing. (*Reasons for denial are given in b.*)



- 4 b. (1)  The request is based on domestic violence and the reasons for denial of some or all of the orders requested are:
- (a)  The facts given in the request do not show reasonable proof of a past act or acts of abuse. (Fam. Code, §§ 6300, 6320, and 6320.5.)
  - (b)  The facts given in the request do not give enough detail about the most recent incidents of abuse, including what happened, the dates, who did what to whom, or any injuries or history of abuse.
  - (c)  Other reasons for denial:

\_\_\_\_\_

- (2)  The request is not based on domestic violence and the reasons for denial of some or all of the personal conduct and stay-away orders as requested are:
- (a)  The facts as stated do not sufficiently show acts of violence, threats of violence, or a course of conduct that seriously alarmed, annoyed, or harassed the person in ① and caused substantial emotional distress.
  - (b)  Other reasons for denial:  As stated on Attachment 4b.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5 Service of Documents by the Person in ①

At least  five  \_\_\_\_\_ days before the hearing, someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court file-stamped copy of this form (JV-249, Notice of Court Hearing) to the person in ② along with a copy of all the forms indicated below:

- a.  JV-245, Request for Juvenile Restraining Order (file-stamped)
- b.  JV-250, Temporary Restraining Order (file-stamped), **if granted**
- c.  JV-247, Response to Request for Juvenile Restraining Order (blank form)
- d.  JV-258, Request for Juvenile Restraining Order Against a Child
- e.  JV-259, Response to Request for Juvenile Restraining Order Against a Child
- f.  JV-260, Temporary Restraining Order Against a Child (file-stamped), **if granted**
- g.  Other (specify): \_\_\_\_\_
- h.  Other (specify): \_\_\_\_\_

Date: \_\_\_\_\_

 \_\_\_\_\_  
Judicial Officer



**To the Person in ① :**

- The court cannot grant a long-term restraining order unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out form JV-268, *Proof of Personal Service*.
- If you are unable to serve the person in ② in time, you may ask for more time to serve the documents.

**To the Person in ② :**

- If you want to respond in writing, mail a copy of your completed form JV-247, *Response to Request for Juvenile Restraining Order*, or form JV-259, *Response to Request for Juvenile Restraining Order Against a Child*, to the person in ① and file it with the court. You cannot mail form JV-247 or JV-259 yourself. Someone age 18 or older—**not you**—must do it.
- To show that the person in ① has been served by mail, the person who mailed the form must fill out a proof of service form. Form JV-510, *Proof of Personal Service—Juvenile*, may be used. File the completed form with the court before the hearing and bring a copy with you to the hearing.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask the judge to reschedule your court date.
- Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order at the hearing and tell the judge why you agree or disagree with the orders requested. Bring any evidence or witnesses you have.
- **At the hearing, the judge may make restraining orders against you that could last up to three years.**
- **The judge may also make other orders about your children, and may again order you to turn in, sell, or store any firearms (guns), firearm parts, or ammunition that you own or have.**

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms) for *Disability Accommodation Request* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

Clerk's Certificate  
[seal]

—Clerk's Certificate—

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

# SC-104C

## How to Serve a Business or Public Entity (Small Claims)

You must serve the *right* person and write the *exact* name of the business and the person to be served. Use this form to make sure you serve correctly, and follow the instructions on *Proof of Service*, form [SC-104](#).

Business Type:	Sole Proprietorship (Only 1 owner)	Partnership	Landlord	Corporation, Association	Limited Liability Company (LLC), Limited Liability Partnership (LLP), Limited Partnership (LP)	Unknown Business Type
<b>Serve:</b>	The owner	If you are suing a <b>partnership</b> , serve one of the partners.  If you are suing a <b>partnership and</b> the partners, serve each partner.	The property owner or manager ( <i>Read Civil Code sections 1962–1962.7.</i> )	Agent for service listed with Secretary of State or any corporate officer (president, vice-president, secretary, treasurer), chief executive officer (CEO), controller, chief financial officer, or general manager	Agent for service listed with Secretary of State  To serve a limited partnership, you can also serve the general partner.	Someone who seems to be in charge of the business during normal business hours
<b>Write on your Proof of Service form:</b>	<ul style="list-style-type: none"> <li>• Business name</li> <li>• Owner's name and job title</li> </ul>	<ul style="list-style-type: none"> <li>• Partnership name</li> <li>• Name of partner, general manager, or agent for service and job title</li> </ul>	<ul style="list-style-type: none"> <li>• Business name (if there is one)</li> <li>• Owner's name and job title</li> </ul>	<ul style="list-style-type: none"> <li>• Corporation name</li> <li>• Name of corporate officer or agent for service and job title</li> </ul>	<ul style="list-style-type: none"> <li>• Company or partnership name</li> <li>• Name of agent or partner for service and job title</li> </ul>	<ul style="list-style-type: none"> <li>• Business name, form unknown</li> <li>• Owner's name and job title (<i>if you know it</i>)</li> </ul>
<b>Check that you have the exact names of the owner and business with:</b>	<ul style="list-style-type: none"> <li>• County Clerk–Recorder's or County Tax Assessor's Office (Ask to see the fictitious business name statement.) Your county's Web site may have this information. Check: <a href="http://www.counties.org">www.counties.org</a>.</li> <li>• City Clerk's Office (Ask to see the business license.) Your city's website may have this information.</li> </ul>	County Tax Collector	County Tax Collector	Search under Corporation, LP and LLC at the California Secretary of State website: <a href="http://bizfileonline.sos.ca.gov/search/business">bizfileonline.sos.ca.gov/search/business</a> Or call: <b>1-916-657-5448</b>  OR County Clerk–Recorder's Office: (Ask to see the fictitious business name statement.) Your county's website may have this information.  OR City Clerk's Office: (Ask to see the business license.) Your city's website may have this information.	Try the other resources listed on this page to see if they know more about the business's organization type, like corporation or sole proprietorship.	

**Need help?** For free help, contact your county's Small Claims Advisor: [space for local info here]

Or go to [selfhelp.courts.ca.gov/small-claims-advisor](http://selfhelp.courts.ca.gov/small-claims-advisor).

# SC-104C How to Serve a Business or Public Entity (Small Claims)

You must serve the *right* person and write the *exact* name of the public agency and the person to be served. Use this form to make sure you serve correctly, and follow the instructions on *Proof of Service*, form [SC-104](#).

	City, County, or Public Entity	State of California, State Agency	Federal Agency
<b>Serve:</b>	City or county clerk, chief officer or director of public agency, or agent authorized to accept service	Use this general address for service: Office of the Attorney General 1300 I Street Sacramento, CA 95814  <i>Exception:</i> if your claim involves California Department of Transportation (Caltrans), serve it at: California Department of Transportation 1120 N Street Sacramento, CA 95814	<i>You cannot sue a <b>federal</b> agency in small claims court.</i>
	<b>Important!</b> <i>Before you sue, you must <b>first</b> file a claim with the public entity. Contact it and ask for the claim procedures.</i>	<b>Note:</b> <i>Before you sue, you must first file a claim with the state or the state agency. To file a claim, see:</i> <a href="http://www.dgs.ca.gov/ORIM/File-A-Claim">www.dgs.ca.gov/ORIM/File-A-Claim</a> <i>or call: 1-800-955-0045</i>	
<b>Write on your Proof of Service form:</b>	<ul style="list-style-type: none"> <li>Name of city, county, or public entity</li> <li>Name of city clerk, county clerk, chief officer, or agent for service and job title</li> </ul>	<ul style="list-style-type: none"> <li>Name of the agency you are suing</li> <li>Name of agent for service</li> </ul>	
<b>Check that you have the exact names of the owner and business with:</b>	Call the city or county clerk. See the government pages of your phone book.  Or search under the California Roster at the California Secretary of State website: <a href="http://www.sos.ca.gov/administration/california-roster/">www.sos.ca.gov/administration/california-roster/</a>	Call the agency to confirm the name and address for service. Use the State Directory: <b>1-800-807-6755</b> Or search <a href="http://www.ca.gov/departments/list/">www.ca.gov/departments/list/</a>	



### Need help?

For free help, contact your county's Small Claims Advisor:  
[space for local info here]

Or go to [selfhelp.courts.ca.gov/small-claims-advisor](http://selfhelp.courts.ca.gov/small-claims-advisor).

Clerk stamps date here when form is filed.

Request

This form is used to ask the court to make an order before or after the trial in a small claims case. The court will notify all plaintiffs and defendants in this case about its decision by mail, at the trial, or at a hearing (depending on when the request is filed).

If you are the person asking the court to make an order, ask the Small Claims Advisor if this is the right form for the kind of order you want. If so, follow these steps:

- Fill out page 1 of this form and file it at the clerk’s office.
• If you are making this request before your trial, you must mail (or deliver in person) a copy of this form to all other plaintiffs and defendants in your case. Exception: If the plaintiff’s claim has not been served, you do not have to serve this request on the other plaintiffs and defendants in your case.
• If you are making this request after the judge has decided your case, the clerk will mail a copy of this form to all other plaintiffs and defendants in your case. The court will give the other plaintiffs and defendants at least 10 days to answer this Request.

If you receive this form, read below, then fill out 7-10 on page 2.

1 The person asking the court to make an order is:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Check one: [ ] A defendant in this case [ ] A plaintiff in this case [ ] Other (explain): \_\_\_\_\_

2 Notice to: (List names and addresses of all other defendants and plaintiffs in your case.)

Name Address
a. \_\_\_\_\_
b. \_\_\_\_\_

[ ] Check here if you need more space. Use form MC-031 or a plain sheet of paper. Write “SC-105, Item 2” on top.

If your request is made before the trial and after the claim was served, fill out below:

I [ ] mailed [ ] delivered in person a copy of this form to everyone listed in 2 on (date): \_\_\_\_\_

3 I ask the court to make the following order (specify):

\_\_\_\_\_
[ ] Check here if you need more space. Use form MC-031 or a plain sheet of paper. Write “SC-105, Item 3” on top.

4 I ask for this order because (explain and give facts of your case here):

\_\_\_\_\_
[ ] Check here if you need more space. Use form MC-031 or a plain sheet of paper. Write “SC-105, Item 4” on top.

5 In making its order, I ask the court to consider the information on this form, any records on file, and, if the court holds a hearing, the evidence presented at that hearing.

6 I declare under penalty of perjury under California state law that the information above and on all attachments is true and correct.

Date: \_\_\_\_\_

Type or print your name

Sign your name

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Fill in court name and street address:

Superior Court of California, County of

Fill in your case number and case name below:

Case Number:

Case Name:





Clerk stamps date here when form is filed.

**Answer**

The person listed in ① on page 1 of this form has asked the court to make an order in your small claims case.

Follow these steps to tell the court what you want to do about this request:

- Read page 1 to see what the person in ① is asking for.
- Fill out ⑦–⑩ below.
- Mail your completed form to the court right away.
- Mail a copy of this form to each plaintiff and defendant listed in ① and ② on page 1 of this form.

The court will mail its decision to all plaintiffs and defendants in this case or will make a decision at a court hearing or trial.

If you do nothing, the court may make the order without hearing from you.

Fill in court name and street address:

**Superior Court of California, County of**

Fill in your case number and case name below.

**Case Number:**

**Case Name:**

**7 The person filing this answer is:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Check one:  A defendant in this case  A plaintiff in this case

**8 Tell the court what you want to do about this request.**

(Check all that apply):

- a.  I agree to the order requested in ③.
- b.  I do not agree to the order requested in ③. (Explain below:)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- Check here if you need more space. Use form MC-031 or a plain sheet of paper. Write "SC-105, Item 8" on top.
- c.  I ask the court to have a hearing to decide this matter.

**9** I mailed a copy of this form to everyone listed in ① and ② of this form on (date): \_\_\_\_\_

**10** I declare under penalty of perjury under California state law that the information above and on all attachments is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print your name

\_\_\_\_\_  
Sign your name

If the request on page 1 was made after the hearing, the clerk fills out below.

—Clerk’s Certificate of Mailing—

I certify that I am not involved in this case and (check one):

- A Certificate of Mailing is attached.
- The Request for Court Order and Answer was mailed first class, postage paid, to all parties at the addresses listed in ②.

On (date):

From (city): \_\_\_\_\_, California

Clerk, by \_\_\_\_\_, Deputy

**? Need help?**

For free help, contact your county’s Small Claims Advisor:

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).

Clerk stamps date here when form is filed.

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- 1 The court has received and considered (*check all that apply*):
- Request for Court Order and Answer, form SC-105 (page 1) filed on: \_\_\_\_\_
  - Answer on Request for Court Order and Answer, form SC-105 (page 2) filed on: \_\_\_\_\_
  - Other (*specify*): \_\_\_\_\_

Clerk fills in court name and street address:

**Superior Court of California, County of**

- 2 The court makes the following orders:
- a.  The request is granted.
  - b.  The request is denied.
  - c.  **You must go to court if you want to be heard.**  
A hearing on this request is scheduled as follows:

Clerk fills in case number and case name below:

<b>Hearing Date</b>	→ Date: _____ Time: _____ Dept.: _____
	Name and address of court if different from above: _____ _____

**Case Number:** \_\_\_\_\_

**Case Name:** \_\_\_\_\_

- d.  Bring evidence to the hearing to support your request.
- e.  Other orders (*specify*): \_\_\_\_\_
- f.  Explanation for decision (*if any*): \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
(Judge or Judicial Officer)

— Clerk’s Certificate of Mailing —

I certify that I am not involved in this case and (*check one*):

- A Certificate of Mailing is attached.
- This *Order* was mailed first class, postage paid, to all parties at the addresses listed in 1 and 2 on the *Request for Court Order and Answer*.

On (*date*): \_\_\_\_\_  
 From (*city*): \_\_\_\_\_, California  
 Clerk, by \_\_\_\_\_, Deputy



**Need help?**

For free help, contact your county’s Small Claims Advisor:

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).



**Requests for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk’s office for *Request for Accommodations by Persons With Disabilities and Response* (form [MC-410](#)). (Civ. Code, § 54.8.)

**This is a Court Order.**

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Clerk stamps date here when form is filed.

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**Request**

This form is used to ask the court to correct or cancel a small claims judgment. You must file this form no later than 30 days after the clerk mailed form SC-130, *Notice of Entry of Judgment*. Filing this form does **not** extend the deadline to file an appeal.

**If you are the person asking the court to correct or cancel a judgment**, fill out (1)–(5) on this page, then file it at the clerk’s office. The clerk will mail a copy of the form to all other plaintiffs and defendants in your case. The court will give the other plaintiffs and defendants at least 10 days to answer this *Request*. The court will mail its decision to you or tell you to go to a court hearing. If you did not go to the trial, you must use form SC-135, *Notice of Motion to Vacate Judgment and Declaration*.

**If you receive this form**, read below, then fill out (6) through (9) on page 2. The court will mail its decision to you or tell you to go to a court hearing.

Fill in court name and street address:

**Superior Court of California, County of**

Fill in your case number and case name below:

**Case Number:**

**Case Name:**

**1 The person asking the court to correct or cancel a judgment is:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

- Check one:  A defendant in this case
- A plaintiff in this case

**2 Notice to:**

*(List names and addresses of all other defendants and plaintiffs in your case.)*

Name	Address
a. _____	_____
b. _____	_____
c. _____	_____
d. _____	_____

Check here if you need more space. Use form MC-031 or a plain sheet of paper. Write “SC-108, Item 2” on top.

**3 I ask the court to (check one):**

- a.  Correct the following clerical error in the judgment.

List the error: \_\_\_\_\_

Change to: \_\_\_\_\_

Explain why this correction is needed: \_\_\_\_\_

\_\_\_\_\_

- b.  Cancel the judgment because the court applied the wrong law to this case. *(Explain):*

\_\_\_\_\_

Check here if you need more space. Use form MC-031 or a plain sheet of paper. Write “SC-108, Item 3” on top.

**4 In making its order, I ask the court to consider the information on this form, any records on file, and, if the court holds a hearing, the evidence presented at that hearing.**

**5 I declare under penalty of perjury under California state law that the information above and on all attachments is true and correct.**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

\_\_\_\_\_  
*Sign your name*



Clerk stamps date here when form is filed.

Answer

The person listed in 1 on page 1 of this form has asked the court to correct or cancel the judgment in your small claims case.

Follow these steps to tell the court what you want to do about this request:

- Read page 1 to see what the person in 1 is asking for.
• Fill out 6-9 below.
• Mail your completed form to the court right away.
• Mail a copy of this form to each plaintiff and defendant listed in 1 and 2 on page 1 of this form.

The court will mail its decision to all plaintiffs and defendants at least 10 days after the Request was mailed. If you do nothing, the court may make the order without hearing from you.

6 The person filing this answer is:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Check one: [ ] A defendant in this case [ ] A plaintiff in this case

7 Tell the court what you want to do about the request.

(Check all that apply):

- a. [ ] I agree to the correction requested in 3 a.
b. [ ] I agree to the cancellation of judgment requested in 3 b.
c. [ ] I do not agree with the request in 3 a. (Explain):

\_\_\_\_\_

- d. [ ] I do not agree with the request in 3 b. (Explain):

\_\_\_\_\_

- e. [ ] I ask the court to have a hearing to decide this matter.

[ ] Check here if you need more space. Use form MC-031 or a plain sheet of paper. Write "SC-108, Item 7" on top.

8 I mailed a copy of this form to everyone listed in 1 and 2 of this form on (date): \_\_\_\_\_

9 I declare under penalty of perjury under California state law that the information above and on all attachments is true and correct.

Date: \_\_\_\_\_

Type or print your name

Sign your name



Need help?

For free help, contact your county's Small Claims Advisor:

Or visit selfhelp.courts.ca.gov/small-claims-advisor.

The clerk fills out below.

— Clerk's Certificate of Mailing —

I certify that I am not involved in this case and (check one):

- [ ] A Certificate of Mailing is attached.
[ ] The Request to Correct or Cancel Judgment and Answer was mailed first class, postage paid, to all parties at the addresses listed in 2.

On (date): \_\_\_\_\_
From (city): \_\_\_\_\_, California
Clerk, by \_\_\_\_\_, Deputy

Clerk stamps date here when form is filed.

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Clerk fills in court name and street address:

**Superior Court of California, County of**

Clerk fills in case number and case name below:

**Case Number:**

**Case Name:**

**1** The court has received and considered (check all that apply):

- Request to Correct or Cancel Judgment and Answer (form SC-108) (page 1) filed on: \_\_\_\_\_
- Answer on Request to Correct or Cancel Judgment and Answer (form SC-108) (page 2) filed on: \_\_\_\_\_
- Other (specify): \_\_\_\_\_

**2** The court makes the following orders:

- a.  The request to correct a clerical error in the judgment is granted.
- b.  The request to cancel the judgment is granted.
- c.  The request is denied.
- d.  You must go to court if you want to be heard.

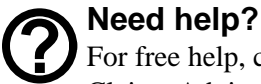
A hearing on this request is scheduled as follows:

<b>Hearing Date</b>	→Date: _____	Time: _____	Dept. _____
	Name and address of court if different from above: _____ _____		

- e.  Bring evidence to the hearing to support your request.
- f.  Other orders (specify): \_\_\_\_\_
- g.  Explanation for decision (if any): \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
(Judge or Judicial Officer)



**Need help?**

For free help, contact your county's Small Claims Advisor:

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).

— Clerk's Certificate of Mailing —

I certify that I am not involved in this case and (check one):

- A Certificate of Mailing is attached.
- This Order was mailed first class, postage paid, to all parties at the addresses listed in **1** and **2** on the Request to Correct or Cancel Judgment and Answer.

On (date): \_\_\_\_\_  
From (city): \_\_\_\_\_, California  
Clerk, by \_\_\_\_\_, Deputy



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office for Request for Accommodations by Persons With Disabilities and Response (form [MC-410](#)). (Civ. Code, § 54.8.)

**This is a Court Order.**

**SC-112A**

**Proof of Service by Mail**

Case Number: \_\_\_\_\_

See instructions on other side.

This form is attached to the document checked in **(2)** below.

**1 Server's information**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Street or mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Check here if you are a registered process server, and write:

County where registered: \_\_\_\_\_ Registration #: \_\_\_\_\_

**2 Form or document served**

a.  Form SC-105, *Request for Court Order and Answer*

b.  Form SC-109, *Authorization to Appear*

c.  Form SC-114, *Request to Amend Claim Before Hearing*

d.  Form SC-133, *Judgment Debtor's Statement of Assets*

e.  Form SC-150, *Request to Postpone Trial*

f.  Form SC-221, *Response to Request to Make Payments*

g.  Other document allowed to be served by mail (*specify*):

Check here if there is not enough space below to list the document served. List the document on a separate page, and write "SC-112A, Item 2" at the top.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3 Server's declaration**

a. I am 18 or older. I am not a party to this small claims case. I live or work in the county where I did the mailing described below.

b. I placed copies of the document checked in **(2)** and an unsigned copy of this page in a sealed envelope, addressed as follows:

Check here if there is not enough space below to list all parties served. List their names and addresses on a separate page, and write "SC-112A, Item 3" at the top.


Name of party served	Mailing address on the envelope

c. On (*date of mailing*): \_\_\_\_\_, I placed each envelope in the mail, with postage paid, at (*city and state of mailing*): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print server's name*

  
\_\_\_\_\_  
*Server signs here*

# Instructions for form SC-112A, Proof of Service by Mail

(This page is **not** part of the Proof of Service and does not need to be copied, served, or filed.)

## Form SC-112A can be used to show the court that these documents were served by mail:

- Form SC-105, *Request for Court Order and Answer*
- Form SC-109, *Authorization to Appear*
- Form SC-114, *Request to Amend Claim Before Hearing*
- Form SC-133, *Judgment Debtor's Statement of Assets*
- Form SC-150, *Request to Postpone Trial*
- Form SC-221, *Response to Request to Make Payments*
- Other documents that are allowed to be served by mail

## Form SC-112A cannot be used to prove service of these forms:

- Form SC-100, *Plaintiff's Claim and ORDER to Go to Small Claims Court*
- Form SC-120, *Defendant's Claim and ORDER to Go to Small Claims Court*

For information about serving these forms, see form SC-104, *Proof of Service*, and form SC-104B, *What Is "Proof of Service"?*

## The server (the person who will do the mailing):

- **Must not** be a party (plaintiff or defendant) in the case
- **May** be a friend, relative, co-worker, or other helpful person
- **Must** be 18 or older
- **Must** live or work in the county where the mailing takes place

## Follow these steps to use form SC-112A:

### 1. Prepare form SC-112A by filling in:

- The case number
  - The document to be served, in item ②\*
  - The names and addresses of the parties to be served, in item ③
- \*Prepare a separate form SC-112A for each document to be served.



### 2. Give the server:

- The partially completed form SC-112A
- One copy of the document to be served for each party to be served

### 3. Ask the server to:

- Fill out the remainder of the form SC-112A.
- Mail *each party to be served*:
  - An unsigned copy of the completed form SC-112A and
  - The document to be served (checked in item ②).
- Sign a separate form SC-112A for each document served and give it to back you.

### 4. File these papers with the small claims court clerk:

- The original of each document served, with
- The signed, original *Proof of Service by Mail* attached



## Need help?

For free help, contact your county's small claims advisor:  
[local info here]

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).

*Clerk stamps date here when form is filed.*

**DRAFT  
2/24/2025  
Not approved by  
the Judicial Council**

**Notice to the person being sued:**

- You are being sued by the person you are suing.
- You must go to court on the trial date listed below. If you do not go to court, you may lose the case.
- If you lose, the court can order that your wages, money, or property be taken to pay this claim.
- Bring witnesses, receipts, and any evidence you need to prove your case.
- Read this form and all pages attached, to understand the claim against you and to protect your rights.

**Aviso al demandado:**

- La persona que ha demandado lo está demandando a usted.
- Tiene que presentarse a la corte en la fecha de su juicio indicada a continuación. Si no se presenta, puede perder el caso.
- Si pierde el caso la corte puede ordenar que le quiten de su sueldo, dinero u otros bienes para pagar este reclamo.
- Lleve testigos, recibos y cualquier otra prueba que necesite para probar su caso.
- Lea este formulario y todas las páginas adjuntas, para entender la demanda en su contra y para proteger sus derechos.

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number and case name:*

**Case Number:**

**Case Name:**

**Order to Go to Court**

**The people in ① and ② must go to court:** *(Clerk fills out section below.)*

<b>Hearing Date</b>	Date	Time	Department	Name and address of court if different from above
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**Instructions for the person suing:**

- Before you fill out this form, read form [SC-100-INFO](#), *Information for the Plaintiff*, to know your rights. Get form SC-100-INFO at any courthouse or county law library, or go to: [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms).
- Fill out pages 2 and 3 of this form. Then make copies of **all** pages of this form. (Make 1 copy for each party named in this case and an extra copy for yourself.) Take or mail the original and these copies to the court clerk’s office and pay the filing fee. The clerk will write the date of your trial in the box above.
- You must have someone at least 18—not you or anyone else listed in this case—give each plaintiff a court-stamped copy of all 3 pages of this form and any pages this form tells you to attach. There are special rules for “serving,” or delivering, this form to public entities, associations, and some businesses. See forms SC-104, SC-104B, and SC-104C.
- **Go to court on your trial date listed above.** Bring witnesses, receipts, and any evidence you need to prove your case.





Defendant (list names):

Case Number:

**1 The plaintiff (the person, business, or public entity that sued first) is:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Street address: \_\_\_\_\_  
Street City State Zip

Mailing address (if different): \_\_\_\_\_  
Street City State Zip

**If more than one plaintiff, list next plaintiff here:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Street address: \_\_\_\_\_  
Street City State Zip

Mailing address (if different): \_\_\_\_\_  
Street City State Zip

Check here if more than 2 plaintiffs and attach form SC-120A.

Check here if any plaintiff is on active military duty and write his or her name here: \_\_\_\_\_

**2 The defendant (the person, business, or public entity suing now) is:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Street address: \_\_\_\_\_  
Street City State Zip

Mailing address (if different): \_\_\_\_\_  
Street City State Zip

**If more than one defendant, list next defendant here:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Street address: \_\_\_\_\_  
Street City State Zip

Mailing address (if different): \_\_\_\_\_  
Street City State Zip

Check here if more than 2 defendants and attach form [SC-120A](#).

Check here if either defendant listed above is doing business under a fictitious name. If so, attach form SC-103.

**3 The Defendant claims the Plaintiff owes \$ \_\_\_\_\_ . (Explain below):**

a. Why does the plaintiff owe the defendant money? \_\_\_\_\_

b. When did this happen? (Date): \_\_\_\_\_  
If no specific date, give the time period: Date started: \_\_\_\_\_ Through: \_\_\_\_\_

c. How did you calculate the money owed to you? (Do not include court costs or fees for service.) \_\_\_\_\_

Check here if you need more space. Attach one sheet of paper or form [MC-031](#) and write "SC-120, Item 3" at the top.



Defendant (list names):

Case Number:

4 You may ask the Plaintiff (in person, in writing, or by phone) to pay you before you sue.

Have you done this?  Yes  No

5 Is your claim about an attorney-client fee dispute?  Yes  No

If yes, and if you have had arbitration, fill out form SC-101, attach it to this form, and check here:

6 Are you suing a public entity?  Yes  No

If yes, you must file a written claim with the public entity first.  A claim was filed on (date): \_\_\_\_\_  
If the public entity denies your claim or does not answer within the time allowed by law, you can file this form.

7 Have you filed more than 12 other small claims within the last 12 months in California?

Yes  No If yes, the filing fee for this case will be higher.

8 I understand that by filing a claim in small claims court, I have no right to appeal this claim.

9 If I do not have enough money to pay for filing fees or service, I can ask the court to waive those fees.

10 I have not filed, and understand that I cannot file, more than two small claims cases for more than \$2,500 in California during this calendar year.

I declare, under penalty of perjury under California State law, that the information above and on any attachments to this form is true and correct.

Date: \_\_\_\_\_ Defendant types or prints name here Defendant signs here

Date: \_\_\_\_\_ Second defendant types or prints name here Second defendant signs here



Requests for Accommodations

Assistive listening systems, computer-assisted, real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. Contact the clerk’s office or go to [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms) for Request for Accommodations by Persons With Disabilities and Response (form [MC-410](#)). (Civ. Code, § 54.8.)



Need help?

Your county’s Small Claims Advisor can help for free.  
[Space for local info]

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).

Clerk stamps here when form is filed.

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See instructions on other side.

- 1 My name is: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
I am a (*check one*):  plaintiff  defendant in this case.

Fill in the court name and street address:

**Superior Court of California, County of**

- 2 My trial is now scheduled for (*date*): \_\_\_\_\_

- 3 I ask the court to postpone my trial until (*approximate date*):  
\_\_\_\_\_

- 4 I am asking for this postponement because (*explain*):  
 Check here if there is not enough space for your answer. Put your answer on an attached sheet of paper and write "SC-150, Item 4" at the top.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fill in your case number and case name:

**Case Number:**

**Case Name:**

- 5 If your trial is scheduled within the next 10 days, explain why you did not ask for a postponement sooner.  
 Check here if there is not enough space for your answer. Put your answer on an attached sheet of paper and write "SC-150, Item 5" at the top.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 6 **Has your claim been served by a method allowed by law?** (*See form SC-104B, What Is "Proof of Service"?, for information about how the claim can be served. Check and complete all that apply:*)

Check here if there is not enough space for your answer. Put your answer on an attached sheet of paper and write "SC-150, Item 6" at the top.

- a.  No. I am a defendant and have not filed a claim in this case.
- b.  Yes. The parties listed below have been served:

(1) \_\_\_\_\_, who lives in: \_\_\_\_\_, was served on: \_\_\_\_\_  
*name county date*

(2) \_\_\_\_\_, who lives in: \_\_\_\_\_, was served on: \_\_\_\_\_  
*name county date*

- c.  No. The parties listed below have not been served (*list names*):

(1) \_\_\_\_\_ (2) \_\_\_\_\_

- d.  I do not know. The court clerk mailed my claim, and I do not know if the court received the signed receipt for these parties (*list names*):

(1) \_\_\_\_\_ (2) \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

\_\_\_\_\_  
*Sign here*

# Instructions for form SC-150, Request to Postpone Trial

(This page is **not** part of form SC-150 and does not need to be copied, served, or filed.)

## Who can use this form?

- Anyone who filed a small claims case and wants to postpone or reschedule the trial for any good reason, including because he or she has not served all of the defendants
- Anyone who was sued in a small claims case and wants to postpone or reschedule the trial for any good reason

## Do I have to use this form?

No. You may write a letter instead of using this form. Your letter should explain why you want to change your court date and include the other information that is requested on this form.

## How do I ask for a postponement?

- Fill out form SC-150, *Request to Postpone Trial* (on the other side of these instructions), or write a letter that includes the information requested on this form.
- Have all other parties in your case served with a copy of your request. You may serve by mail or in person. Use form SC-104, *Proof of Service*, or form SC-112A, *Proof of Service by Mail*.
- File your request and the completed *Proof of Service* with the small claims court clerk. You may have to pay a \$10 fee, depending on when (or if) the claim was served. If you cannot afford to pay a required fee, see form FW-001-INFO, *Information Sheet on Waiver of Superior Court Fees and Costs*.

## How will I know the court's decision?

**If the court postpones the trial**, the court will mail a notice with the new hearing date to all plaintiffs and defendants in this case.

**If the court does not postpone the trial**, the trial will be on the date when it is currently scheduled. The court will notify the person who filed the *Request*.

**If you do not hear from the court**, you should go to court on the scheduled trial date.



## Need help?

For free help, contact your county's small claims advisor:  
[local info here]

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).

*Clerk stamps here when form is filed.*

On (date): \_\_\_\_\_ (name): \_\_\_\_\_

filed a request to postpone the trial in this case.

The court orders:

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**the Judicial Council**

①  **The Request to Postpone Trial is approved, and the court orders** the trial is postponed as indicated in ③ .

②  **The Request to Postpone Trial is denied because:**

- a.  The Request did not include a good reason for the postponement.
- b.  The Request was not filed at least 10 days before the hearing and did not include a good reason for the late request.
- c.  The required \$10 filing fee was not paid.
- d.  Other: \_\_\_\_\_

*Fill in the court name and street address:*

**Superior Court of California, County of**

*Fill in your case number and case name:*

**Case Number:**

**Case Name:**

Continued on Attachment SC-152, item 2(d).

③ **The trial will be held as follows:**

**Hearing Date** → \_\_\_\_\_ Time: \_\_\_\_\_ Dept. \_\_\_\_\_  
*Name and address of court if different than address above:*



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. Contact the clerk’s office for *Request for Accommodations by Persons With Disabilities and Response* (form [MC-410](#)). (Civ. Code, § 54.8.)

④ **The clerk will mail a copy of this order to:**

- a.  The person who asked for the postponement.
- b.  All plaintiffs and defendants at the addresses listed in the court’s records.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial officer*



**Need help?**

For free help, contact your county’s small claims advisor:  
[local info here]

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](http://selfhelp.courts.ca.gov/small-claims-advisor).

## SC-200-INFO What to Do After the Court Decides Your Small Claims Case

First, read the court's decisions on *Notice of Entry of Judgment* (either form SC-130 or form SC-200). It will tell you the court's judgment in this case. Then read this form. It will help you protect or enforce your rights, whether you won or lost the case.

**Warning!** You may lose important rights if you do not act within 30 days after the court handed or mailed you *Notice of Entry of Judgment*. If the court mailed *Notice of Entry of Judgment*, the date of mailing is on *Clerk's Certificate of Mailing* that came with the notice.

**If the court did not award you any money on a claim that you filed...** The court's decision on your claim is *normally* final. You cannot appeal the decision on your own claim, but you may be allowed to ask the court to correct a mistake in the judgment.

### If the court ordered you to pay money...

You are the *judgment debtor*. The law requires you to pay the judgment. You **can**:

- Pay the judgment creditor directly;
- Pay the court (to do so, file form SC-145, *Request to Pay Judgment to Court*); or
- Ask the court to let you make payments (to do so, file form SC-220, *Request to Make Payments*).

If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

**Warning!** If you do not pay the judgment or file an appeal or a motion to vacate (cancel) or correct the judgment **within 30 days** after *Notice of Entry of Judgment* was handed or mailed to you, your wages, money, and property can be taken to pay the claim. You may also have to pay interest. If your case involves an auto accident on a California highway, the Department of Motor Vehicles (DMV) can suspend your driver's license.

**After you pay the judgment in full**, you can ask the judgment creditor to file a form saying the judgment is paid. (See form SC-290, *Acknowledgment of Satisfaction of Judgment*.) If the judgment creditor does not do this, they may have to pay you damages and a penalty.

**If you disagree with the judgment ordering you to pay money and you went to the small claims trial**, you can appeal that decision. (You cannot appeal the decision on your own claim.) To do so, file form SC-140, *Notice of Appeal*, within 30 days after *Notice of Entry of Judgment* was handed or mailed to you. There will be a new trial in the superior court on all claims in the case. Each side will present evidence again. This time, each side can have a lawyer at the trial.

(Continued on page 2)

### If the court ordered the other side to pay you...

You are the *judgment creditor*. **You** must collect your judgment. The court will not collect it for you. Some steps you can take to collect your money are summarized below. For more information, go to [selfhelp.courts.ca.gov/small-claims/after-trial/if-you-win](https://selfhelp.courts.ca.gov/small-claims/after-trial/if-you-win).

**Important!** The judgment debtor has **30 days** after being handed or mailed *Notice of Entry of Judgment* to appeal or pay or ask the court to cancel or correct the judgment. You cannot take legal steps to collect the judgment during this time.

**Ask the judgment debtor to pay you the money.** If the judgment debtor cannot afford to pay the judgment all at once, consider offering to take payments. If your claim was for possession of property, ask the judgment debtor to return the property to you.

**If the judgment debtor does not pay, you can find out about the debtor's income or property** that the sheriff can take to satisfy the judgment.

- If the debtor does not pay within 30 days after the court clerk delivered or mailed *Notice of Entry of Judgment*, the debtor must send you form SC-133, *Judgment Debtor's Statement of Assets*. This form will tell you what money and property the debtor has that may be used to pay the judgment.
- **If the debtor does not send you the completed form SC-133**, you can file form SC-134, *Application and Order to Produce Statement of Assets and to Appear for Examination*. In this form, you can also ask the court to award you your attorney fees, expenses, and other appropriate relief. If *Notice of Entry of Judgment* says the judgment includes an amount "concerning consumer debt," file form SC-136, *Application and Order to Produce Financial Statement or Appear for Examination—Consumer Debt*, instead of form SC-134.

(Continued on page 2)



## If the court ordered you to pay money...

(continued)

If you disagree with the judgment ordering you to pay money, and you did not go to the trial, you can ask the court to vacate (cancel) the judgment. To do so, file form SC-135, *Notice of Motion to Vacate Judgment*, **within 30 days\*** after *Notice of Entry of Judgment and Declaration* was handed or mailed to you. If the court denies your request, you have until 10 days from the date the notice of denial is mailed to file an appeal.

*\*Exception:* If the claim against you was not properly served, you have **180 days** from the date that you found out (or should have found out) about the judgment against you to file a request to cancel the judgment.

**Unless you pay the judgment or file an appeal or a motion** as discussed above, you must complete form SC-133, *Judgment Debtor's Statement of Assets*, and deliver it to the judgment creditor within 30 days after the clerk delivered or mailed *Notice of Entry of Judgment*.

**Warning!** If you do not deliver the completed form SC-133, the court can order you to pay attorney fees and impose other penalties.

## If the court ordered the other side to pay

**you...** (continued)

- If the debtor **does** send you form SC-133, you can still have the debtor come to court to answer **questions** about income and property. To do so, file form EJ-125, *Application and Order for Appearance and Examination*. If *Notice of Entry of Judgment* says the judgment includes an amount "concerning consumer debt," file form EJ-141, *Application and Order to Appear for Examination—Consumer Debt*, instead of form EJ-125.
- To obtain the judgment debtor's financial records from another person or a company at a hearing, fill out form SC-107, *Small Claims Subpoena and Declaration*, take it to the small claims court clerk to be issued, and then have it served.

**Once you know about the judgment debtor's income and property**, you can ask the sheriff to take that property to pay you. (Property that may be taken includes wages, bank accounts, automobiles, business property, and rental income.) To do so, fill out and ask the court clerk to issue form EJ-130, *Writ of Execution*. Then, take the form to the sheriff's office with a description of the debtor's property.

**You can also put a lien on the judgment debtor's house or other real estate.** To do so, fill out and ask the court clerk to issue form EJ-001, *Abstract of Judgment—Civil and Small Claims*. Then, take or mail the *Abstract* to the county recorder's office in the county where you think the debtor owns real property. If the judgment debtor sells, refinances, or buys real property in that county, your judgment should be paid from the debtor's funds.

**After the judgment has been paid in full**, you must fill out an *Acknowledgment of Satisfaction of Judgment* and file it with the court clerk. If *Abstract of Judgment—Civil and Small Claims* (form EJ-001) has not been recorded, you may use form SC-130 or form SC-290. If an abstract has been recorded, use form EJ-100.

**Warning!** If you do not file an *Acknowledgment of Satisfaction of Judgment*, you may have to pay the judgment debtor damages and a penalty.

**You may need to pay fees** to the court, the county recorder's office, or the sheriff for filing, issuing, and recording papers and doing the other things discussed above. Sometimes, you can ask the court to order the other side to repay you for these expenses.



**Need help?** For free help, contact your county's small claims advisor:  
[\[local info here\]](#)

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).

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1 A request to make payments on a small claims judgment was filed by the judgment debtor (name of the person who owes money in this case):

The court orders:

2 [ ] The Request to Make Payments is denied. The person in 1 must pay the entire judgment immediately.

3 [ ] The Request to Make Payments is approved, and the court orders:

a. [ ] Payments of \$ \_\_\_\_\_, on the \_\_\_\_\_ day of each (month, week, other): \_\_\_\_\_ starting (date): \_\_\_\_\_ until (date of final payment): \_\_\_\_\_, amount of final payment: \$ \_\_\_\_\_

b. [ ] Other payment schedule (specify): \_\_\_\_\_

c. [ ] The total amount of payments is \$ \_\_\_\_\_, which includes interest on the unpaid balance of the judgment. The actual amount of that interest may change if the payments are made late or early.

d. [ ] The total amount of payments is the same as the judgment. If all payments are made in full and on time, no interest will be owed on the judgment, and the judgment will be paid in full.

e. If any payment is not made in full and on time, the judgment creditor may notify the court to cancel the payment plan and the entire unpaid balance will become due and collectible.

f. [ ] Other (specify): \_\_\_\_\_

Fill in the court name and street address:

Superior Court of California, County of

Fill in your case number and case name:

Case Number:

Case Name:

4 [ ] The court will make orders on this Request after a hearing, which will take place on:

Hearing Date

Time: \_\_\_\_\_ Dept. \_\_\_\_\_

Name and address of court if different than address above:



Request for Accommodations Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

5 [ ] Other orders (specify): \_\_\_\_\_

[ ] Continued on Attachment 5.

Date: \_\_\_\_\_

Judicial officer



Need help? For free help, contact your county's small claims advisor:

[local info here]

Or visit selfhelp.courts.ca.gov/small-claims-advisor.



**Declaration of Default  
in Payment of Judgment**

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**Important:** Read page 2 if this form was mailed to you or before you fill out this form. If you are the judgment debtor named in (2) and you disagree with this *Declaration of Default in Payment of Judgment*, you may file form SC-224, *Response to Declaration of Default in Payment of Judgment*, within 10 days after the declaration was mailed to you.

1 I am asking the court to order that the remaining balance of a small claims judgment is now due and collectible because payments were not made as the court ordered.

My name is: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email (optional): \_\_\_\_\_

2 The judgment debtor who has not made payments as the court ordered is (complete a separate form for each judgment debtor who has not paid as ordered):

Name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email (optional): \_\_\_\_\_

3 On (date): \_\_\_\_\_ the court ordered that the judgment debtor named in (2) must pay me, or someone who assigned the judgment to me, principal, prejudgment interest, and costs in the total amount of \$ \_\_\_\_\_.

4 On (date): \_\_\_\_\_ the court ordered that the judgment debtor named in (2) may pay the judgment described in (3) as follows:

- a.  Payments of \$ \_\_\_\_\_, on the \_\_\_\_\_ day of each (month, week, other): \_\_\_\_\_ starting (date): \_\_\_\_\_, until (date of final payment): \_\_\_\_\_; amount of final payment: \$ \_\_\_\_\_
- b.  Other payment schedule (specify): \_\_\_\_\_

5 The payments listed below, and no others, have been made on the judgment described in (3).

Check here if there is not enough space below. List the date and amount of each payment on a separate page and write "SC-223, Item 5" at the top.

Date	Amount	Date	Amount	Date	Amount	Date	Amount

6 The total amount of the payments that have been made on the judgment described in (3) is \$ \_\_\_\_\_, and the balance due, without adding any interest after the judgment, is \$ \_\_\_\_\_.

7 I request interest on the judgment, in the amount of \$ \_\_\_\_\_, calculated as follows:

Check here if there is not enough space below. Explain how you calculated interest on a separate page and write "SC-223, Item 7" at the top.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Type or print your name

\_\_\_\_\_  
Sign here



# Default in Payments on Small Claims Judgment

## General Information

If the court ordered that another plaintiff or defendant (judgment debtor) may pay a small claims judgment in payments, and that judgment debtor has not made the payments as ordered, you can ask the court to order that the full balance of the judgment is due and collectible. Here's how:

- Fill out page 1 of form SC-223, *Declaration of Default in Payment of Judgment*. Fill out a separate form for each judgment debtor who did not make payments as ordered.
- File your completed form(s) with the small claims court clerk.

The court will mail all other plaintiffs and defendants in the case copies of the *Declaration* and a blank form SC-224, *Response to Declaration of Default in Payment of Judgment*.

The judgment debtor will have 10 days to file a **Response**. Then the court will mail all plaintiffs and defendants in the case:

- A decision, or
- A notice to go to a hearing.

If the court ordered that you may make payments on a judgment, and another plaintiff, defendant, or person to whom the judgment has been assigned (judgment creditor) has filed form SC-223, *Declaration of Default in Payment of Judgment*, asking the court to order that the full balance is now due and collectible because you did not make the payments:

- If, after reading the *Declaration*, you agree with the court ordering that the amounts claimed in the *Declaration* are now due in full, you do not need to do anything.
- If you do not agree with the *Declaration* or with the court ordering that the amounts it claims are now due in full, fill out and file form SC-224, *Response to Declaration of Default in Payment of Judgment*, within 10 days after the court clerk mailed the *Declaration* to you. (This date is on the *Clerk's Certificate of Mailing*.)

**To file your Response:**

- Have your *Response* served on the judgment creditor and all other plaintiffs and defendants in your case. (See form SC-112A, *Proof of Service by Mail*.)
- File your *Response* and *Proof of Service* with the small claims court clerk.

## Answers to Common Questions

### When is the judgment due?

Unless the court orders otherwise, small claims judgments are due immediately. If the judgment is not paid in full within 30 days, the judgment creditor (party to whom the money is owed) can take legal steps to collect any unpaid amount. (Collection may be postponed if an appeal or a request to vacate (cancel) or correct the judgment is filed.)

### When can the judgment debtor make payments?

A party who was ordered to pay a small claims judgment (judgment debtor) can ask the court for permission to make payments. If the court agrees, the party who is owed money (the judgment creditor) cannot take any other steps to collect the money as long as the payments are made on time. If payments are not made on time, the judgment creditor can ask the court to order that the remaining balance of the judgment is due and collectible.

### Is interest added after the judgment?

Interest is usually added to the unpaid amount of the judgment from the date the judgment is entered until it is paid in full. Interest can only be charged on the unpaid amount of the judgment (the principal); interest cannot be charged on any unpaid interest. If a partial payment is received, the money is applied first to unpaid interest and then to unpaid principal.

When the court allows payments, the court often does not order any interest, as long as all payments are made in full and on time. Unless the judgment creditor asks for interest to be included in the order allowing payments, the judgment creditor may lose any claims for interest. But if the judgment debtor does not make full payments on time, interest on the missed payment or the entire unpaid principal.

### How do I calculate interest?

If you are asking for interest or disagreeing with a request for interest, you need to explain your interest calculation. Interest may be added to the full unpaid balance of the judgment or only to payments that were not made on time. To calculate interest, show the unpaid principal balance, the dates and number of days you want the court to allow interest on that amount, and the total interest for that period. If payments were made, you will need to make separate calculations for the reduced principal balance after each payment. For more information on the applicable rate of interest and calculating the amount of interest, see *Information Sheet for Calculating Interest and Amount Owed on a Judgment* (form MC-013-INFO).



**Need help?** For free help, contact your county's small claims advisor:

[local info here]

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).

Clerk stamps here when form is filed.

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1 A judgment was entered in this case on (date):
against (name of judgment debtor):

2 On (date):, the court ordered that the judgment debtor named in 1 may pay the judgment as follows:

a. Payments of \$, on the day of each (month, week, other): starting (date): until (date of final payment): amount of final payment: \$

b. The payment schedule is stated on form SC-225A, item 1.

3 On (date): the judgment creditor (name): informed the court that the judgment debtor had not made one or more payments as provided in 1 and asked the court to order that the remaining balance of the judgment is due and collectible.

4 On (date): the judgment debtor filed a response to the judgment creditor's request.

The court orders:

5 The payment order referred to in 2 (check one):
a. is terminated and the balance of the judgment is collectible.
b. remains in effect, without modification.
c. is modified as stated on form SC-225A, item 2.

6 The following amounts are owing on the judgment as of (date):
a. Principal balance of judgment and costs included in judgment (amount): \$
b. Interest (amount): \$

7 Other orders are stated on form SC-225A, item 3

8 The court will make orders on the matter after a hearing, which will take place on:

Fill in the court name and street address:

Superior Court of California, County of

Fill in your case number and case name:

Case Number:

Case Name:

Hearing Date

Time: Dept.: Name and address of court if different than address above:

Request for Accommodations



Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to courts.ca.gov/rules-forms/find-your-court-forms for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

Date:

Judicial officer



Need help? For free help, contact your county's small claims advisor: [local info here]

Or visit selfhelp.courts.ca.gov/small-claims-advisor.

*Clerk stamps here when form is filed.*

**DRAFT  
2/24/2025  
Not approved by  
the Judicial Council**

See instructions on other side.

To the court clerk:

① My name is: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
Phone: \_\_\_\_\_

② I am the *(check one)*:  
a.  Judgment creditor.  
b.  Assignee of record.

③ I acknowledge that the judgment owed to *(name)*: \_\_\_\_\_  
was paid or otherwise satisfied on *(date)*: \_\_\_\_\_  
as follows *(check and complete one)*:

- a.  The judgment has been fully paid or satisfied as to all judgment debtors.
- b.  The judgment has been fully paid or satisfied as to these judgment debtors only *(names and addresses of judgment debtors who have fully paid or satisfied judgment)*:

*Fill in the court name and street address:*

**Superior Court of California, County of**

*Fill in your case number and case name:*

**Case Number:**

**Case Name:**

(1) Name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
*Street City State Zip*

(2) Name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
*Street City State Zip*

(3) Name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
*Street City State Zip*

(4) Name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
*Street City State Zip*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*



\_\_\_\_\_  
*Judgment creditor or assignee signs here*

## Instructions for form SC-290, *Acknowledgment of Satisfaction of Judgment*

(This page is not part of the *Acknowledgment of Satisfaction of Judgment* and does not need to be copied, served, or filed.)

### **Warning to the judgment creditor or person to whom the judgment has been assigned!**

- When a small claims judgment has been fully paid or satisfied, you must file an *Acknowledgment of Satisfaction of Judgment* with the small claims court immediately.
- If the *Acknowledgment* is not filed within 14 days after the judgment debtor requests it, you may have to pay the judgment debtor damages and a penalty.

### **Use form SC-290 to acknowledge payment of a small claims judgment if:**

- You are the judgment creditor (or assignee), and the judgment debtor has paid the full judgment (or satisfied it in another way), and
- Form EJ-001, *Abstract of Judgment—Civil and Small Claims*, has NOT been recorded for this judgment.

### **Use form EJ-100 to acknowledge payment if:**

- The judgment debtor has paid only part of the judgment, or
- Form EJ-001, *Abstract of Judgment—Civil and Small Claims*, has been recorded.



#### **Need help?**

For free help, contact your county's small claims advisor:  
[local info here]

Or visit [selfhelp.courts.ca.gov/small-claims-advisor](https://selfhelp.courts.ca.gov/small-claims-advisor).

**Notice of Hearing on Request to  
 Modify  Terminate  
Workplace Violence Restraining Order**

*Clerk stamps date here when form is filed.*

**DRAFT  
2025-02-10  
Not approved by  
the Judicial Council**

Party seeking order completes items ① and ②.

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

**① Party Seeking Modification/Termination**

- a. Your Full Name: \_\_\_\_\_
- b. Your Lawyer (if you have one for this case)  
Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
Firm Name: \_\_\_\_\_
- c. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**② Other Party**

- a. Full Name: \_\_\_\_\_
- b. Address (if known): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**③ Court Hearing**

The judge has set a court hearing date. Court will fill in box below.

**The current restraining order stays in effect unless terminated by the court.**

**Hearing Date**

- Date: \_\_\_\_\_ Time: \_\_\_\_\_ Name and address of court if different from above: \_\_\_\_\_
- Dept.: \_\_\_\_\_ Room: \_\_\_\_\_ \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**④ Service on Other Party**

- a. Someone age 18 or older—**not you**—must serve a copy of the following forms on the other party or parties:
  - WV-600, Request to Modify/Terminate Workplace Violence Restraining Order;
  - WV-610, Notice of Hearing on Request to Modify/Terminate Workplace Violence Restraining Order (this form);
  - WV-620, Response to Request to Modify/Terminate Workplace Violence Restraining Order (blank copy).

The forms must be served on the other party \_\_\_\_\_ days before the hearing.



- b. **If you are the Respondent: You must have the Protected Person personally served with these forms. This requirement of personal service on the Protected Person is not a justification for you to violate the terms of the restraining order.** You must also serve the Petitioner employer. Service on the employer may be by mail.
- c. **If you are the Petitioner employer and you are requesting modification or termination other than at the request of the Protected Person: You must have the Protected Person personally served with these forms.** You must also serve the Respondent. Service on the Respondent may be by mail.
- d. **If you are the Protected Person:** The Respondent and Petitioner employer may be served with these forms by mail.
- e. The person who serves the forms must fill out either form WV-200, *Proof of Personal Service*, or form WV-250, *Proof of Service of Response by Mail* (or both). Have the person who served sign the original. Take the signed original proof-of-service form back to the court clerk for filing or bring it with you to the hearing. For help with personal service, see form WV-200-INFO, *What Is "Proof of Personal Service"?*.

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

**To the Other Party:**

If you wish to make a written response to this request to modify or terminate the current workplace violence restraining order, you may fill out form WV-620, *Response to Request to Modify/Terminate Workplace Violence Restraining Order*. File the original with the court before the hearing and have someone age 18 or older—**not you**— mail a copy of it to the other party at the address in ① at least \_\_\_\_\_ days before the hearing. Also file form WV-250, *Proof of Service of Response by Mail*, with the court before the hearing.

**Request for Accommodations**



Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office for *Request for Accommodations by Persons With Disabilities and Response* (form [MC-410](#)). (Civ. Code, § 54.8.)

*(Clerk will fill out this part.)*

*Clerk’s Certificate*  
[seal]

**—Clerk's Certificate—**

I certify that this *Notice of Hearing on Request to Modify/Terminate Workplace Violence Restraining Order* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

## RULES COMMITTEE ACTION REQUEST FORM

**Rules Committee Meeting Date:** March 13, 2025

**Rules Committee action requested** [Choose from drop-down menu below]:

**Submit to JC (without circulating for comment)**

**Title of proposal:** Civil Practice and Procedure: Adjustments to Dollar Amounts of Exemptions and Maximum Amount of Imputed Liability of Parent or Guardian for Tort of a Minor

*Proposed rules, forms, or standards (include amend/revise/adopt/approve):*

Amend Cal. Rules of Court, Appendix B; revise forms EJ-156, EJ-186

*Committee or other entity submitting the proposal:*

Judicial Council staff

*Staff contact (name, phone and email):* Jenny Grantz, 415-865-4394, [jenny.grantz@jud.ca.gov](mailto:jenny.grantz@jud.ca.gov)

*Identify project(s) on the committee's annual agenda that is the basis for this item:*

Annual agenda approved by Rules Committee on (date): October 22, 2024

Project description from annual agenda: Rules and Forms: Miscellaneous Technical Changes. Develop rule and form changes as necessary to make corrections and adjustments meeting the criteria of rule 10.22(d)(2): "a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy...." These include revisions to forms that contain dollar figures based on statutory criteria that the Judicial Council is mandated to adjust on a regular basis.

**Out of Cycle/Early Implementation:** *If requesting July 1 effective date or out of cycle, explain why:*

Action must be taken out of cycle because the Judicial Council is required to revise forms EJ-156 and EJ-186 by April 1, 2025, and the data needed to revise the forms (the 2024 CCPI) was not published by the California Department of Industrial Relations until February 14, 2025. The Judicial Council is not required to amend Appendix B until July 1, 2025, but those amendments are also based on the 2024 CCPI, so staff propose including the Appendix B amendments in this circulating order rather than putting them in a separate report.

**Additional Information for Rules Committee:** (To facilitate Rules Committee's review of your proposal, please include any relevant information not contained in the attached summary.)

### Additional Information for JC Staff

- **Director Approval** (required for all invitations to comment and reports)

This report or invitation to comment was:

- reviewed by EGG on (date)
- approved by Office Director (or Designee) (name)  
on (date)

*If either of above not checked, explain why:*

*Complete the following for all reports to be submitted to council (optional for ITCs):*

- **Form Translations** (check all that apply)

This proposal:

- includes forms that have been translated.
- includes forms or content that are required by statute to be translated. Provide the code section that mandates translation: [Click or tap here to enter text.](#)



includes forms that staff will request be translated.

- **Form Descriptions** (for any report with new or revised forms)
  - The forms in this proposal will require new or revised form descriptions on the JC forms webpage. (If this is checked, the form descriptions should be approved by a supervisor before submitting this RAR.).
- **Self-Help Website** (check if applicable)
  - This proposal may require changes or additions to self-help web content.



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

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## CIRCULATING ORDER MEMORANDUM TO THE JUDICIAL COUNCIL

Circulating Order Number: CO-25-03

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Title

Civil Practice and Procedure: Adjustments to Dollar Amounts of Exemptions and Maximum Amount of Imputed Liability of Parent or Guardian for Tort of a Minor

Rules, Forms, Standards, or Statutes Affected  
Amend Cal. Rules of Court, Appendix B;  
revise forms EJ-156 and EJ-186

Recommended by

Judicial Council staff  
James Barolo, Supervising Attorney  
Legal Services

Action Requested

VOTING MEMBERS ONLY: Submit votes by responding to the transmittal email.

Please Respond By

[date and time to be determined by Leadership Support Services]

Date of Report

February 28, 2025

Contact

Jenny Grantz, 415-865-4394  
[jenny.grantz@jud.ca.gov](mailto:jenny.grantz@jud.ca.gov)

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*California Rules of Court, rules 10.5(h) and 10.13(d), allow the Judicial Council to act on business between meetings, including urgent matters, by circulating order. This memorandum is not a Judicial Council meeting; circulating orders are conducted via electronic communications. Prior public notice of a proposed circulating order is not required.*

### Executive Summary

The Judicial Council is required by statute to periodically update certain rules and forms to reflect changes in the California Consumer Price Index. Judicial Council staff recommend revising two Judicial Council forms and amending Appendix B of the California Rules of Court to fulfill these statutory mandates.

### Recommendation

Judicial Council staff recommend that the council take the following actions to make statutorily mandated updates reflecting changes to the California Consumer Price Index:

1. Amend California Rules of Court, Appendix B, effective July 1, 2025; and

2. Revise *Current Dollar Amounts of Exemptions from Enforcement of Judgments* (form EJ-156) and *Current Dollar Amounts Under Code of Civil Procedure Section 699.730(b)* (form EJ-186) effective April 1, 2025.

The proposed revised forms and amended appendix are attached at pages 5–8.

### **Relevant Previous Council Action**

The Judicial Council adopted Appendix B of the California Rules of Court effective January 1, 1997, to implement Civil Code section 1714.1(c), which sets the maximum amount of imputed liability of a parent or guardian for a tort of a minor. The council has amended Appendix B every two years since then, as required by statute. The most recent amendment was made effective January 1, 2023.

The Judicial Council began publishing a list of the dollar amounts of certain exemptions from the enforcement of judgment in April 2004. The list was published on the California Courts website<sup>1</sup> until April 1, 2013, when it was replaced by newly adopted form EJ-156. The council has regularly updated form EJ-156 since then to make statutorily mandated three-year adjustments to certain exemption amounts, most recently in April 2022. The council has also regularly updated form EJ-156 to make statutorily mandated annual updates to the amount of the automatic exemption for a deposit account, most recently in July 2024.

The Judicial Council adopted form EJ-186 effective April 1, 2022, to implement a new law requiring the council to publish the dollar amounts covered by Code of Civil Procedure section 699.730(b)(7). Form EJ-186 has not been revised since then.

### **Analysis/Rationale**

#### **Appendix B**

Under Civil Code section 1714.1(a) and (b), the parent or guardian who has custody and control of a minor is liable for any act of willful misconduct of the minor that results in injury or death to another person, injury to the property of another, or the defacement of the property of another by paint. The maximum liability for each tort under section 1714.1 is \$25,000, adjusted every two years to reflect increases in the cost of living as indicated by the California Consumer Price Index (CCPI).<sup>2</sup> On or before July 1 of each odd-numbered year, the Judicial Council is required to compute and publish the maximum liability amounts under section 1714.1(a) and (b), which it

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<sup>1</sup> See Judicial Council of Cal., Advisory Com. Rep., *Exemptions From the Enforcement of Judgments* (Apr. 12, 2004); Judicial Council of Cal., mins. (Apr. 23, 2004), item 1, p.1, <https://courts.ca.gov/sites/default/files/courts/default/2024-10/age0404.pdf>.

<sup>2</sup> Civ. Code, § 1714.1(c).

provides in Appendix B to the California Rules of Court, along with the formula for adjusting those amounts.<sup>3</sup>

The 2024 annual average CCPI was published in February 2025,<sup>4</sup> and staff recommend amending Appendix B to reflect the resulting increase in the maximum liability amounts under section 1714.1.

#### **Form EJ-156**

Code of Civil Procedure sections 703.140(b) and 704.010 et seq. exempt certain types of property from enforcement of judgment. These exemptions are limited to a specified dollar amount, and those amounts are listed in form EJ-156. Many of the exemptions listed on form EJ-156 are calculated using the CCPI and are adjusted every three years on April 1 to reflect the most recent annual average CCPI. The Judicial Council is required by law to revise form EJ-156 every three years to reflect these adjustments and to state the date of the next scheduled adjustment.<sup>5</sup>

Staff have calculated the adjusted dollar amounts of these exemptions effective April 1, 2025, based on the 2024 CCPI figures and using the formula attached to this report (see Attachment A). Staff recommend revising form EJ-156 to show the adjusted amounts.

#### **Form EJ-186**

Under Code of Civil Procedure section 699.730(a), a judgment debtor's principal place of residence cannot be sold to satisfy a judgment lien based on a consumer debt unless the property was used to secure the debt at the time the debt was incurred. This protection does not apply to certain types of unpaid debts. For example, under section 699.730(b)(7), this protection does not apply to a debt, other than student loan debt, if the debt is owed to a financial institution at the time of execution on the judgment lien and if the dollar amount of the debt meets certain requirements. Form EJ-186 explains section 699.730 and lists the dollar amounts of debts covered by section 699.730(b)(7).

The dollar amounts covered by section 699.730(b)(7) are adjusted every three years on April 1 to reflect the current CCPI.<sup>6</sup> The Judicial Council is required by law to revise form EJ-186 every three years to reflect these adjustments and to state the date of the next scheduled adjustment.<sup>7</sup>

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<sup>3</sup> A copy of the letter from the Department of Finance setting out the formula for the original adjustment, which has been followed since 1997, is available as Attachment A.

<sup>4</sup> Published by the California Department of Industrial Relations at [www.dir.ca.gov/OPRL/CPI/PresentCCPI.PDF](http://www.dir.ca.gov/OPRL/CPI/PresentCCPI.PDF).

<sup>5</sup> Code Civ. Proc., § 703.150(e).

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

Staff have calculated the adjusted dollar amounts covered by section 699.730(b)(7) effective April 1, 2025, based on the 2024 CCPI figures and using the formula attached to this report (see Attachment A). Staff recommend revising form EJ-186 to show the adjusted amounts.

### **Policy implications**

The key policy implication is to ensure that the Judicial Council fulfills its statutory mandate to amend Appendix B and revise forms EJ-156 and EJ-186 to reflect the 2024 CCPI. These amendments and revisions are consistent with the *Strategic Plan for California's Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

### **Comments**

Public comments were not solicited for this proposal because the Rules Committee determined that the recommendations are within the Judicial Council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).).

### **Alternatives considered**

None.

### **Fiscal and Operational Impacts**

The implications for this proposal for the trial courts should be minimal. The affected forms are informational only and are not filed with or completed by the courts. Likewise, Appendix B is informational only.

### **Attachments**

1. California Rules of Court, Appendix B, at page 5
2. Forms EJ-156 and EJ-186, at pages 6–8
3. Formula for adjusting dollar amounts, at page 9
4. Attachment A: April 21, 1997, letter from Department of Finance
5. Voting instructions, at page 11
6. Vote and signature pages, at pages 12–13

### **Author**

James Barolo  
Supervising Attorney, Legal Services

Jenny Grantz  
Attorney, Legal Services

Appendix B of the California Rules of Court is amended, effective July 1, 2025, to read:

1  
2  
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10

**Appendix B**  
**Liability Limits of a Parent or Guardian Having Custody and Control of a Minor**  
**for the Torts of a Minor (Civ. Code, § 1714.1)**

**Formula**

Pursuant to Civil Code section 1714.1, the joint and several liability limit of a parent or guardian having custody and control of a minor under subdivisions (a) and (b) for each tort of the minor shall be computed and adjusted as follows:

$$\text{Adjusted limit} = \left[ \frac{\text{Current CCPI} - \text{January 1, 1995, CCPI}}{\text{January 1, 1995, CCPI}} + 1 \right] \times \text{January 1, 1995, limit}$$

**Definition**

“CCPI” means the California Consumer Price Index, as established by the California Department of Industrial Relations.

**July 1, ~~2023~~2025, calculation and adjustment**

The joint and several liability of a parent or guardian having custody and control of a minor under Civil Code section 1714.1, subdivision (a) or (b), effective July 1, ~~2023~~2025, shall not exceed ~~\$52,700~~ **\$56,400** for each tort.

The calculation is as follows:

$$\del{\$52,677.23} \ \$56,427.56 = \left[ \frac{319.224 \ 341.951 - 151.5}{151.5} + 1 \right] \times \$25,000$$

Under section 1714.1, subdivision (c), the adjusted limit is rounded to the nearest hundred dollars, so the dollar amount of the adjusted limit is rounded to ~~\$52,700~~ **\$56,400**.

**CURRENT DOLLAR AMOUNTS OF EXEMPTIONS FROM ENFORCEMENT OF JUDGMENTS**  
**Code of Civil Procedure sections 703.140(b) and 704.010 et seq.**

**EXEMPTIONS UNDER SECTION 703.140(b)**

The following lists the current dollar amounts of exemptions from enforcement of judgment under Code of Civil Procedure section 703.140(b) used in a case under title 11 of the United States Code (bankruptcy).

Unless otherwise provided by statute, these amounts are effective April 1, 2025, and will be adjusted at each three-year interval ending on March 31. The amount of the adjustment to the prior amounts is based on the change in the annual California Consumer Price Index for All Urban Consumers for the most recent three-year period ending on the preceding December 31, with each adjusted amount rounded to the nearest \$25. (See Code Civ. Proc., § 703.150(e).)

<u>Code Civ. Proc., § 703.140(b)</u>	<u>Type of Property</u>	<u>Amount of Exemption</u>
(1) DRAFT 02/27/2025 NOT APPROVED BY COUNCIL	The debtor's aggregate interest in real property or personal property that the debtor or a dependent of the debtor uses as a residence, or in a cooperative that owns property that the debtor or a dependent of the debtor uses as a residence	\$ 36,750
(2)	The debtor's interest in one or more motor vehicles	\$ 8,625
(3)	The debtor's interest in household furnishings, household goods, wearing apparel, appliances, books, animals, crops, or musical instruments, that are held primarily for the personal, family, or household use of the debtor or a dependent of the debtor (value is of any particular item)	\$ 925
(4)	The debtor's aggregate interest in jewelry held primarily for the personal, family, or household use of the debtor or a dependent of the debtor	\$ 2,175
(5)	The debtor's aggregate interest, plus any unused amount of the exemption provided under paragraph (1), in any property	\$ 1,950
(6)	The debtor's aggregate interest in any implements, professional books, or tools of the trade of the debtor or the trade of a dependent of the debtor	\$ 10,950
(8)	The debtor's aggregate interest in any accrued dividend or interest under, or loan value of, any unmaturing life insurance contract owned by the debtor under which the insured is the debtor or an individual of whom the debtor is a dependent	\$ 19,625
(10)(F)	The debtor's aggregate interest in vacation credits or accrued, or unused, vacation pay, sick leave, family leave, or wages, as defined in Section 200 of the Labor Code	\$ 8,625
(11)(E)	The debtor's right to receive, or property traceable to, a payment on account of personal bodily injury of the debtor or an individual of whom the debtor is a dependent	\$ 36,750

**CURRENT DOLLAR AMOUNTS OF EXEMPTIONS FROM ENFORCEMENT OF JUDGMENTS**  
**Code of Civil Procedure sections 703.140(b) and 704.010 et seq.**

**EXEMPTIONS UNDER SECTION 704.010 et seq.**

The following lists the current dollar amounts of exemptions from enforcement of judgment under title 9, division 2, chapter 4, article 3 (commencing with section 704.010) of the Code of Civil Procedure.

The amount of the automatic exemption for a deposit account under section 704.220(a) is effective July 1, 2024, and unless otherwise provided by statute after that date, will be adjusted annually, effective July 1, by the Department of Social Services under Welfare and Institutions Code section 11453 to reflect the minimum basic standard of care for a family of four as established by section 11452.\*

Unless otherwise provided by statute, the other amounts are all effective April 1, 2025, and will be adjusted at each three-year interval, ending on March 31. The amount of the adjustment to the prior amounts is based on the change in the annual California Consumer Price Index for All Urban Consumers for the most recent three-year period ending on the preceding December 31, with each adjusted amount rounded to the nearest \$25. (See Code Civ. Proc., § 703.150(e).)

<u>Code Civ. Proc. Section</u>	<u>Type of Property</u>	<u>Amount of Exemption</u>
704.010	Motor vehicle (any combination of aggregate equity, proceeds of execution sale, and proceeds of insurance or other indemnification for loss, damage, or destruction)	\$ 8,625
704.030	Material to be applied to repair or maintenance of residence	\$ 4,400
704.040	Jewelry, heirlooms, art	\$ 10,950
704.060	Personal property used in debtor's or debtor's spouse's trade, business, or profession (amount of exemption for commercial motor vehicle not to exceed \$4,850)	\$ 10,950
704.060	Personal property used in debtor's and spouse's common trade, business, or profession (amount of exemption for commercial motor vehicle not to exceed \$9,700)	\$ 21,900
704.220	Deposit account, generally (exemption without claim; amount per judgment debtor, section 704.220(a),(e)) <sup>1</sup>	\$ 2,170*
704.080	Deposit account with direct payment of social security or public benefits (exemption without claim, section 704.080(b)) <sup>2</sup>	
	• Public benefits, one depositor is designated payee	\$ 2,175
	• Social security benefits, one depositor is designated payee	\$ 4,400
	• Public benefits, two or more depositors are designated payees <sup>3</sup>	\$ 3,250
	• Social security benefits, two or more depositors are designated payees <sup>3</sup>	\$ 6,575
704.090	Inmate trust account	\$ 2,175
	Inmate trust account (restitution fine or order)	\$ 325 <sup>4</sup>
704.100	Aggregate loan value of unmaturred life insurance policies	\$ 17,525
704.113	The aggregate interest in vacation credits or accrued, or unused, vacation pay, sick leave, or family leave	\$ 8,625

<sup>1</sup> This exemption does not preclude or reduce other exemptions for deposit accounts. However, if the exemption amount for the deposit account applicable under other automatic exemptions—such as those applicable for direct deposit of social security benefits or public benefits—is greater under the other exemptions, then those apply instead of this one. (Code Civ. Proc., § 704.220(b).)

<sup>2</sup> The amount of a deposit account with direct deposited funds that exceeds exemption amounts shown is also exempt to the extent it consists of payments of public benefits or social security benefits. (Code Civ. Proc., § 704.080(c).)

<sup>3</sup> If only one joint payee is a beneficiary of the payment, the exemption is in the amount available to a single designated payee. (Code Civ. Proc., § 704.080(b)(3) and (4).)

<sup>4</sup> This amount is not subject to adjustments under Code of Civil Procedure section 703.150.



## CURRENT DOLLAR AMOUNTS UNDER CODE OF CIVIL PROCEDURE SECTION 699.730(b)

The following lists the dollar amounts set forth in section 699.730(b)(7) of the Code of Civil Procedure, adjusted pursuant to section 703.150.

The principal place of residence of a judgment debtor is not subject to sale under execution of a judgment lien based on a consumer debt unless the debt was secured by the property at the time it was incurred. (See Code Civ. Proc., § 699.730(a).) However, the provisions in section 699.730(a) do not apply to certain types of unpaid debts, including debts other than student loan debt, owed to a financial institution at the time of the execution of a judgment lien, if certain requirements based on dollar amounts are met. (See Code Civ. Proc. § 699.730(b)(7).)

The amounts stated here are effective April 1, 2025. Unless otherwise provided by statute after that date, they will be adjusted at each three-year interval, ending on March 31. The amount of the adjustment to the prior amounts is based on the change in the annual California Consumer Price Index for All Urban Consumers for the most recent three-year period ending on the preceding December 31, with each adjusted amount rounded to the nearest \$25. (See Code Civ. Proc., § 703.150(e).)

- |                              |  |
|------------------------------|--|
| Section 699.730(b)(7)(A)(i)  | The amount of the original judgment on which the lien is based, when entered, was greater than \$94,125                |
| Section 699.730(b)(7)(A)(ii) | The amount owed on the outstanding judgment at the time of the execution on the judgment lien is greater than \$94,125 |

DRAFT  
02/20/2025  
NOT APPROVED  
BY COUNCIL

**Calculation of Dollar Amounts Under Code of Civil Procedure  
Sections 699.730, 703.140(b), and 704.010 et seq.  
(Adjusted April 1, 2025)**

Code of Civil Procedure section 703.150 requires the Judicial Council to periodically adjust the dollar amounts of most of the exemptions from enforcement of judgment listed in *Current Dollar Amounts of Exemptions From Enforcement of Judgments* (form EJ-156) and the dollar amounts listed in *Current Dollar Amounts Under Code of Civil Procedure Section 699.730(b)* (form EJ-186). These adjustments must be made every three years.

**Formula for adjusting exemption amounts**

Under Code of Civil Procedure section 703.150(a), (b), (c), and (e), the adjustments to the dollar amount of the exemptions in sections 699.730(b), 703.140(b), and 704.010 et seq. are calculated using the current annual CCPI and the annual CCPI from three years prior.<sup>1</sup> “CCPI” means the California Consumer Price Index for All Urban Consumers published by the Department of Industrial Relations, Division of Labor Statistics. The calculation is made as follows:

**Calculation for April 1, 2025, revisions to forms EJ-156 and EJ-186**

The 2024 annual CCPI was 341.951. The 2021 annual CCPI was 297.371. The proportional amount of change is determined by performing the calculation in brackets below. The result is 1.14991.

$$\begin{aligned} \text{Adjusted dollar amount} &= \left[ \frac{341.951 - 297.371}{297.371} + 1 \right] \times \text{Previous dollar amount} \\ &= 1.14991 \times \text{Previous dollar amount} \end{aligned}$$

Each affected exemption (the “previous dollar amount”) in forms EJ-156 and EJ-186 was multiplied by 1.14991 (or 14.991 percent) and then rounded to the nearest \$25. (See Code Civ. Proc., § 703.150(e).) For example, the current value of the exemption under Code of Civil Procedure section 703.140(b)(1) is \$31,950. The product of multiplying \$31,950 by 1.14991 is \$36,739.74. Rounded to the nearest \$25, the adjusted value is \$36,750.00.

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<sup>1</sup> This formula is similar to the one employed by the Judicial Conference of the United States for calculating adjustments to the federal bankruptcy exemptions, but it uses the California Consumer Price Index instead of the federal equivalent.



April 21, 1997

Ms. Cara Vonk  
Judicial Council of California  
Administrative Office of the Courts  
303 Second Street, South Tower  
San Francisco, CA 94107

Dear Ms. Vonk,

The updated number calculated in accordance with Civil Code section 1714.1 subdivision c is \$25,900.00. Proper escalation procedure divides the difference of the end-of-period number and the beginning-of-period number by the beginning-of-period number. Next add one and multiply by the original number in this case \$25,000.00.

The California Consumer Price Index (CCPI) formula is established by the Department of Industrial Relations (DIR). The Department of Finance, using the DIR formula for the CCPI, calculates the January 1, 1995 CCPI as 151.5, for January 1, 1996 (154.0), and for January 1, 1997 (157.1). The calculation rests on the assumption that the figure of \$25,000.00 originates January 1, 1995 as you stated in our conversation this morning.

$$25,925.00 = \left[ \frac{(157.1 - 151.5)}{151.5} + 1 \right] \times 25,000.00$$

Subdivision c requires the number to be rounded to the nearest one hundred dollars producing \$25,900.00. My phone number is (916) 322-2263 x2423; where I can be reached to answer to any questions. I have included CCPI data tables for purposes of documentation.

Sincerely

A handwritten signature in cursive script that reads "Jason Barnhart".

Jason Barnhart

## Instructions for Review and Action by Circulating Order

### Voting members

- Please reply to the email message with “I approve,” “I disapprove,” or “I abstain,” by [deadline date and time to be determined by Leadership Support Services].
- If you are unable to reply by [deadline date and time], please do so as soon as possible thereafter.

### Advisory members

The circulating order is being emailed to you for your information only. There is no need to sign or return any documents.

**CIRCULATING ORDER  
Judicial Council of California  
Voting and Signature Pages**

Effective immediately, the Judicial Council approves the amendments to California Rules of Court, Appendix B, and revisions to forms EJ-156 and EJ-186 to reflect the 2024 California Consumer Price Index.

My vote is as follows:

Approve

Disapprove

Abstain

\_\_\_\_\_  
Patricia Guerrero, Chair

\_\_\_\_\_  
Maria Lucy Armendariz

\_\_\_\_\_  
Bunmi O. Awoniyi

\_\_\_\_\_  
C. Todd Bottke

\_\_\_\_\_  
Stacy Boulware Eurie

\_\_\_\_\_  
Carol A. Corrigan

\_\_\_\_\_  
Charles S. Crompton

\_\_\_\_\_  
Judith K. Dulcich

\_\_\_\_\_  
Carin T. Fujisaki

\_\_\_\_\_  
Maureen F. Hallahan

\_\_\_\_\_  
Maria D. Hernandez

\_\_\_\_\_  
Brad R. Hill

\_\_\_\_\_  
Rachel W. Hill

\_\_\_\_\_  
Ash Kalra

My vote is as follows:

Approve

Disapprove

Abstain

\_\_\_\_\_  
Ann C. Moorman

\_\_\_\_\_  
Gretchen Nelson

\_\_\_\_\_  
Ricardo R. Ocampo

\_\_\_\_\_  
Craig M. Peters

\_\_\_\_\_  
Maxwell V. Pritt

\_\_\_\_\_  
Thomas J. Umberg

\_\_\_\_\_  
Tamara L. Wood

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Administrative Director and  
Secretary of the Judicial Council