



Judicial Council of California

Rules Committee

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RULES COMMITTEE

MINUTES OF OPEN VIDEOCONFERENCE MEETING

Thursday, April 10, 2025

12:10 – 1:40 p.m.

Rules Committee Members Present:	Hon. Carin T. Fujisaki (Chair), Hon. Joan K. Irion (Vice-chair), Hon. Khymberli S. Apaloo, Hon. Bunmi O. Awoniyi, Hon. Charles S. Crompton, Hon. Ryan Davis, and Mr. Charles Johnson
Rules Committee Members Absent:	Ms. Kate Bieker, Hon. Ricardo R. Ocampo, Mr. Craig M. Peters, and Mr. Maxwell V. Pritt
Rules Committee Staff Present:	Mr. James Barolo, Mr. Eric Long, and Ms. Benita Downs
Advisory Bodies Chair(s) and Staff Present	Deirdre Benedict, Tony Cheng, Sarah Fleischer-Ihn, Jenny Grantz, Anne Hadreas, Frances Ho, Sarah Jacobvitz, Stephanie Lacambra, Paarth Malkan Sarah Saria, Gabrielle Selden, Marino Soto, Corby Sturges, and Jeremy Varon
Other JC Staff Present	Kristin Burford, David Caldwell, Art Dirk, Audrey Fancy, Michael Giden Donna Ignacio, Anna Maves, Maddie Orcutt, Lollie Roberts, Leah Rose-Goodwin, Christy Simon, and Greg Tanaka

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.

Approved minutes of the March 13, 2025, meeting.

DISCUSSION AND ACTION ITEMS (ITEMS 01–22)

APPELLATE

Invitation to Comment–Recommend Circulation for Comment

Item 01/SPR25-01

Remote Appearances at Oral Argument in the Appellate Division

The committee reviewed a proposal from the Appellate Advisory Committee to update the rules regarding oral argument in the appellate division to reflect modern videoconferencing technology and facilitate remote participation by both parties and appellate division judges. The proposal originated with a suggestion from a committee member.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 02/SPR25-02

Appellate Procedure: Extension of Time in Misdemeanor and Infraction Appeals

The committee reviewed a proposal from the Appellate Advisory Committee to approve a new form for requesting extensions of time to file a brief in misdemeanor and infraction appeals. The proposal originated with a suggestion from the former Chief Justice's Appellate Caseflow Workgroup and a committee member.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

CIVIL

Invitation to Comment–Recommend Circulation for Comment

Item 03/SPR25-03

Rules and Forms: Comprehensive Adjudications of Groundwater Rights

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee to amend the rule that designates certain case types as provisionally complex to include comprehensive groundwater adjudications, along with adopting a rule setting out the procedure by which the presiding judge of the court of a county overlying the groundwater basin at issue can request that the Chair of the Judicial Council assign a judge to adjudicate the dispute.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 04/SPR25-04 (joint with the Court Executives Advisory Committee)

Rules and Forms: New Case Categories for Civil Case Cover Sheet

The committee reviewed a joint proposal from the Civil and Small Claims Advisory Committee and the Court Executives Advisory Committee to add new case categories and case types to Civil Case Cover Sheet (form CM-010). The addition of the comprehensive groundwater adjudication case type is to be consistent with Code of Civil Procedure section 838(b) and the concurrent amendment to rule 3.400. The addition of the Asbestos and Employment Development Department (EDD) case categories will fulfill new data reporting requirements in an upcoming version of the Judicial Branch Statistical Information System (JBSIS) and eliminate manual data reporting by courts.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 05/SPR25-05

Civil Practice and Procedure: Deadlines for Motions to Certify or Decertify a Class

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee to amend California Rules of Court, rule 3.764 to lengthen each of the briefing deadlines for motions to certify or decertify a class or to amend or modify an order certifying a class. The proposal aims to address concerns that the deadline for filing a reply provides insufficient time for courts to review the briefing prior to the hearing. The concerns were raised by a superior court judge who regularly hears such motions.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 06/SPR25-06

Civil Practice and Procedure: Implementation of Assembly Bill 2837

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee to adopt three forms and to revise thirteen forms to implement Assembly Bill 2837 (Stats. 2024, ch. 514) which made numerous changes to the laws regarding enforcement of judgment, including a new requirement to verify the judgment debtor's address before the sheriff can serve papers related to enforcement of a judgment for personal debt; changes to the start of the earnings withholding period; and new requirements for orders on claims of exemption from enforcement of judgment.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 07/SPR25-07

Civil Practice and Procedure: Form Revisions to Reflect the Repeal of COVID-19 Legislation

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee to revise five forms and to revoke ten forms to implement Assembly Bill 2347 (Stats. 2024, ch. 512), which changed the deadline to respond to a summons in unlawful detainer proceedings and other summary proceedings for obtaining possession of real property.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 08/SPR25-08

Civil Practice and Procedure: Amendment of the Collections Case Rule

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee to amend the monetary limit in California Rules of Court, rule 3.740, which governs collections cases, to match the

current jurisdictional limit for limited civil cases, which was recently raised by Senate Bill 71 (Stats. 2023, ch. 861) to \$35,000 effective January 1, 2024. The committee also proposed amending the rule's time for service and default judgment provisions.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 09/SPR25-09

Civil Practice and Procedure: Confidential Information Form for Doxing Cases

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee to revise one form to allow plaintiffs in doxing cases to use a pseudonym, as required by law.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 10/SPR25-10

Civil Practice and Procedure: Authorization to Appear on Behalf of a Party in Small Claims Cases (Revise form SC-109)

The committee reviewed a proposal from the Civil and Small Claims Advisory Committee to revise form SC-109 to ensure it fully complies with Code of Civil Procedure section 116.540, which allows others to appear in small claims court on behalf of the plaintiff or defendant in certain circumstances.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

CRIMINAL

Invitation to Comment–Recommend Circulation for Comment

Item 11/SPR25-11

Criminal Law: Findings and Orders for Pretrial Release or Detention

The committee reviewed a proposal from the Criminal Law Advisory Committee to approve a new form for optional use to assist courts with making appropriate findings and orders for pretrial release or detention as articulated in *In re Humphrey* (2021) 11 Cal.5th 135.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 12/SPR25-12

Criminal Law: Implementation of Recent Legislation Regarding Criminal Protective Orders

The committee reviewed a proposal from the Criminal Law Advisory Committee to repeal a rule of court, to revise three existing criminal protective order forms, and to approve four new forms and an information sheet. The committee also proposed the adoption of a new confidential California Law Enforcement Telecommunications System form for use with criminal protective orders, and amending California Rules of Court, rule 1.51 to require prosecuting agencies to use the form.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 13/SPR25-13

Criminal Law: Mental Competency Proceedings

The committee reviewed a proposal from the Criminal Law Advisory Committee to adopt California Rules of Court, rule 4.132, to amend rule 4.130, to amend rule 4.131, and to renumber former rule 4.131 as new rule 4.133 to implement legislative changes, as well as additional amendments to clarify procedures, remove language duplicative of statute, and improve organization, clarity, and concision.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 14/SPR24-14

Criminal Law: Findings and Orders Regarding Prohibited Items While on Diversion

The committee reviewed a proposal from the Criminal Law Advisory Committee to approve a new order form for optional use to assist courts with making the appropriate findings and orders prohibiting a defendant from owning or possessing firearms, other deadly weapons, and ammunition while on mental health or military diversion. The initial request for a form memorializing the court's findings came from the Department of Justice, Division of Law Enforcement, Bureau of Firearms.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

FAMILY AND JUVENILE

Invitation to Comment–Recommend Circulation for Comment

Item 15/SPR25-15

Family Law: Rules and Forms to Determine Parental Relationship Based on Gestational Carrier Agreement

The committee reviewed a proposal from the Family and Juvenile Law Advisory Committee to adopt six forms for mandatory use and to approve five forms for optional use in a new form series for parties (intended parents) who conceive a child with a surrogate (a gestational carrier) under the terms of a gestational carrier agreement (also called “an assisted reproduction agreement for gestational carriers”) and then seek a judgment in family court determining a parental relationship under Family Code sections 7960–7962. The committee also proposed the adoption of a new rule of court, amending several rules of court, repealing one rule, and revising three forms specific to gestational surrogacy cases. The proposal originated from judicial officers and attorneys who shared their ideas for uniform and streamlined rules and forms, specific to gestational surrogacy cases, that would increase efficiencies in processing these cases for the benefit of family court judges, court clerks, the parties, and their attorneys.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 16/SPR25-16

Family Law: Standards for Computer Software Used to Assist in Determining Support

The committee reviewed a proposal from the Family and Juvenile Law Advisory Committee to amend California Rules of Court, rule 5.275, which provides standards for computer software used to assist in determining child support and spousal support. The action is necessary to bring the rule into conformity with existing law as well as with Family Code provisions related to additional child support that were amended, effective September 1, 2024, by Senate Bill 343 (Stats. 2023, ch. 213). The proposal also would update terminology and clarify language relating to (1) computer hardware and software and (2) guideline calculator software testing and certification.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 17/SPR25-17

Juvenile Law: Retention of Jurisdiction and Petitions Requesting Juvenile Case Files of Deceased Children

The committee reviewed a proposal from the Family and Juvenile Law Advisory Committee to adopt one rule of the California Rules of Court, to amend three rules of court, to approve one form, to adopt six forms, and to revise six forms to implement Assembly Bill 1756 (Stats. 2023, ch. 478, § 62) and Senate Bill 1161 (Stats. 2024, ch. 782, § 12), and to clarify the different legal standards for petitions seeking

release of a delinquency file or living child's juvenile dependency case file under Welfare and Institutions Code section 827(a)(1)(Q) and a deceased child's juvenile dependency case file under section 827(a)(2).

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 18/SPR25-18

Juvenile Law: Racial Justice Act Forms

The committee reviewed a proposal from the Family and Juvenile Law Advisory Committee to approve five new forms to assist litigants and juvenile courts with claims under the Racial Justice Act.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 19/SPR25-19

Juvenile Law: Sex Offender Registration

The committee reviewed a proposal from the Family and Juvenile Law Advisory Committee to revise Information on Filing a Petition to Terminate Juvenile Sex Offender Registration (form JV-915-INFO) to correct legally inaccurate statements in the form. The form currently states that the Department of Justice determines the registration tier for individuals required to register due to a juvenile adjudication and that a subsequent violent felony conviction or a conviction for an offense requiring sex offender registration disqualifies an applicant from requesting termination of juvenile sex offender registration. Because neither of those statements reflect the controlling statutory provisions, the committee accordingly proposed their removal from the form.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 20/SPR25-20

Juvenile Law: Date a Child Entered Foster Care

The committee reviewed a proposal from the Family and Juvenile Law Advisory Committee to amend two definitions in rule 5.502 of the California Rules of Court to conform to recent changes to Assembly Bill 2664 (Bryan; Stats. 2024, ch. 412), which amended Welfare and Institutions Code section 361.49 to clarify the date a child is deemed to have entered foster care for the purpose of establishing timelines for the provision of reunification services.

Action: The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.

Item 21/SPR25-21

Family Law: Joint Petition for Dissolution or Legal Separation

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee to amend four rules of court, to adopt three mandatory forms, and to approve two optional forms to implement Senate Bill 1427 (Stats. 2024, ch. 190), which authorizes parties who do not qualify to use the current summary dissolution process to file a joint summons and a joint petition to ask the court for a dissolution of the marriage or domestic partnership or for a legal separation.

Action: *The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.*

PROVIDING ACCESS AND FAIRNESS

Invitation to Comment–Recommend Circulation for Comment

Item 22/SPR25-22

Access and Fairness: Accommodations for Court Users to Pump or Express Breast Milk

The committee reviewed a proposal from the Advisory Committee on Providing Access and Fairness to adopt a new rule of court and to approve a new optional form to implement Senate Bill 949 (Stats. 2024, ch. 159), which requires superior courts to grant court users who are participating in court proceedings a reasonable amount of break time to express milk for their infant children.

Action: *The committee unanimously approved the proposal for circulation on the regular spring cycle through May 23, 2025.*

I. INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

The Next Rules Committee meeting will be held on: April 11, 2025.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 1:48 p.m.

Approved by the committee on June 3, 2025