



# Judicial Council of California

Rules Committee

[courts.ca.gov/rulescomm.htm](http://courts.ca.gov/rulescomm.htm)

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

## RULES COMMITTEE

### MINUTES OF OPEN VIDEOCONFERENCE MEETING

Thursday, September 4, 2025

12:10 – 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. Apaloo, Hon. Bunmi O. Awoniyi, Hon. Charles S. Crompton, and Hon. Ryan Davis
<b>Rules Committee Members Absent:</b>	Ms. Kate Bieker, Mr. Charles Johnson, Hon. Ricardo R. Ocampo, Mr. Craig M. Peters, and Mr. Maxwell V. Pritt
<b>Incoming Member of the Rules Committee Present</b>	Hon. Tamara L. Wood
<b>Rules Committee Staff Present</b>	Mr. Eric Long and Ms. Benita Downs
<b>Advisory Bodies Staff Present</b>	Kristin Burford, Sarah Fleischer-Ihn, Jenny Grantz, Sarah Jacobvitz, Stephanie Lacambra, Paarth Malkan, Sarah Saria, Gabrielle Selden, and Jeremy Varon
<b>Others JC Staff Present:</b>	James Barolo, Deirdre Benedict, Audrey Fancy, Frances Ho, Michael Giden, Camilla Kieliger, Lollie Roberts, Christy Simon, Marymichael Smrdeli, Corby Sturges, Greg Tanaka, and Shayla Taylor

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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.

#### Approval of Minutes

The advisory body reviewed and approved the minutes of the June 3 and June 13, 2025, Rules Committee meetings.

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### DISCUSSION AND ACTION ITEMS (ITEMS 01 – 22)

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#### APPELLATE

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

###### **Item 01/SPR25-01**

###### **Appellate Procedure: Remote Appearances at Oral Argument in the Appellate Division**

The committee reviewed a recommendation from the Appellate Advisory Committee that the Judicial Council amend rules 8.885 and 8.929 of the California Rules of Court regarding oral argument in the

appellate division to authorize remote appearances by parties and more broadly authorize remote participation by appellate division judges.

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

**Item 02/SPR25-02**

**Appellate Procedure: Extension of Time in Misdemeanor and Infraction Appeals**

The committee reviewed a recommendation from the Appellate Advisory Committee that the Judicial Council approve *Application for Extension of Time to File Brief—Misdemeanor or Infraction Case* (form CR-127), a new form for requesting extensions of time to file a brief in misdemeanor and infraction appeals.

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

**CIVIL AND SMALL CLAIMS**

**Judicial Council Report—Recommend Council Action**

**Item 03/SPR25-03**

**Rules and Forms: Comprehensive Adjudications of Groundwater Rights**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council adopt rule 3.404 of the California Rules of Court and amend rule 3.400, related to comprehensive groundwater adjudications.

***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 October council meeting.***

**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 recommendation from the Civil and Small Claims Advisory Committee and the Court Executives Advisory Committee that the Judicial Council revise form CM-010 to add “Comprehensive groundwater adjudication” as a case type and add “Asbestos” and “Employment Development Department (EDD)” as case categories.

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

## Item 05/SPR25-05

### **Civil Practice and Procedure: Deadlines for Filings for Class Certification Motions**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council amend rule 3.764 of the California Rules of Court to adjust the deadlines for filings related to class certification motions.

***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 October council meeting.***

## Item 06/SPR25-06

### **Civil Practice and Procedure: Implementation of Assembly Bill 2837**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council adopt three forms and 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 recommendation from the Civil and Small Claims Advisory Committee, which is to go to the Judicial Council for action at the October council meeting.***

## Item 07/SPR25-07

### **Unlawful Detainer: Form Revisions to Reflect Repeal of COVID-19 Legislation**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council revise five forms and 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 recommendation from the Civil and Small Claims Advisory Committee, which is to go to the Judicial Council for action at the October council meeting.***

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#### Item 08/SPR25-08

##### **Civil Practice and Procedure: Amendment of the Collections Case Rule**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council amend rule 3.740 of the California Rules of Court to increase the monetary limit for collections cases to \$35,000.

***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 October council meeting.***

#### Item 09/SPR25-09

##### **Civil Practice and Procedure: Confidential Information Form for Doxing Cases**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council revise *Confidential Information Form Under Civil Code Section 1708.85* (form MC-125) to implement the statutory procedure for using a pseudonym when bringing a case under Civil Code section 1708.89.

***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 October council meeting.***

#### Item 10/SPR25-10

##### **Civil Practice and Procedure: Authorization to Appear on Behalf of a Party in Small Claims Cases**

The committee reviewed a recommendation from the Civil and Small Claims Advisory Committee that the Judicial Council revise form SC-109 to ensure it complies with Code of Civil Procedure section 116.540.

***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 October council meeting.***

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#### **CRIMINAL**

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

#### Item 11/SPR25-11

##### **Criminal Law: Findings and Orders for Pretrial Release or Detention**

The committee reviewed a recommendation from the Criminal Law Advisory Committee that the Judicial Council approve *Findings and Orders for Pretrial Release or Detention* (form CR-104) 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 recommendation from the Criminal Law Advisory Committee, which is to go to the Judicial Council for action at the October council meeting.**

**Item 12/SPR25-12**

**Criminal Law: Implementation of Recent Legislation Regarding Criminal Protective Orders**

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

**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 October council meeting.**

**Item 13/SPR25-13**

**Criminal Law: Mental Competency Proceedings**

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

**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 October council meeting.**

**Item 14/SPR24-14**

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

The committee reviewed a recommendation from the Criminal Law Advisory Committee that the Judicial Council 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.

**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 October council meeting.**

## FAMILY AND JUVENILE

### Judicial Council Report—Recommend Council Action

#### Item 15/SPR25-15

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

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council adopt six forms for mandatory use and 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 recommendation also proposes 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.

***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 October council meeting.***

#### Item 16/SPR25-16

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

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council amend rule 5.275 of the California Rules of Court, 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). This proposal will also 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 recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the October council meeting.***

#### Item 17/SPR25-17

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

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council adopt one rule of court, amend three rules of court, approve one form, adopt six forms, and 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 recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the October council meeting.***

**Item 18/SPR25-18**

**Juvenile Law: Racial Justice Act Forms**

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

***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 October council meeting.***

**Item 19/SPR25-19**

**Juvenile Law: Sex Offender Registration**

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council revise *Information on Filing a Petition to Terminate Juvenile Sex Offender Registration* (form JV-915-INFO) to correct legally inaccurate statements in the form.

***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 October council meeting.***

**Item 20/SPR25-20**

**Juvenile Law: Date a Child Entered Foster Care**

The committee reviewed a recommendation from the Family and Juvenile Law Advisory Committee that the Judicial Council, amend rule 5.502 of the California Rules of Court to address the situation of a child who is not removed or is returned at disposition on a Welfare and Institutions Code section 300 petition but is later removed under a section 342 or 387 petition.

***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 October council meeting.***

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**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 that the Judicial Council amend four rules of court, adopt three mandatory forms, and 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 recommendation from the Family and Juvenile Law Advisory Committee, which is to go to the Judicial Council for action at the October council meeting.***

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**PROVIDING ACCESS AND FAIRNESS**

**Judicial Council Report–Recommend Council Action**

**Item 22/SPR25-22**

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

The committee reviewed a recommendation from the Advisory Committee on Providing Access and Fairness that the Judicial Council adopt rule 2.40 of the California Rules of Court and approve *Request for Accommodation to Pump or Express Breast Milk* (form MC-420).

***Action: The committee unanimously approved the recommendation from the Advisory Committee on Providing Access and Fairness, which is to go to the Judicial Council for action at the October council meeting***

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

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

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**ADJOURNMENT**

There being no further business, the meeting was adjourned at 1:17 p.m.

Approved by the committee on October 30, 2025