



# JUDICIAL COUNCIL OF CALIFORNIA

RULES AND PROJECTS  
COMMITTEE

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## RULES AND PROJECTS COMMITTEE

### NOTICE AND AGENDA OF OPEN IN-PERSON MEETING

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

THIS MEETING IS BEING RECORDED

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**Date:** Thursday, August 23, 2018  
**Time:** 12:10 p.m. to 2:00 p.m.  
**Location:** Conference Call  
**Public Call-in Number:** 1-877-820-7831/Listen Only Passcode: 8254930

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

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [ruprometings@jud.ca.gov](mailto:ruprometings@jud.ca.gov)

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

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

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##### Call to Order and Roll Call

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

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##### Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [ruprometings@jud.ca.gov](mailto:ruprometings@jud.ca.gov) or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Rules and Projects Committee. Only written comments received by 12 noon on Wednesday, August 22 will be provided to advisory body members prior to the start of the meeting.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS**

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**JUDICIAL ADMINISTRATION**

**Item 01**

**Judicial Administration:** Change to Advisory Committee Membership Requirements (amend rule 10.64) (Action required – recommend Judicial Council action)

Presenter: Lucy Fogarty

**Item 02**

**Jury Service: Permanent Medical Excuse** (adopt Cal. Rules of Court, rule 2.1009) (Action required – recommend Judicial Council action)

Presenter: Daniel Pone

**INTERPRETERS**

**Item 29 Out of Order**

**Court Interpreters Advisory Panel** (repeal and replace Rule of Court 2.891; adopt accompanying California Court Interpreter Credential Review Procedures) (Action required – recommend Judicial Council action)

Presenter: Rick Feldstein, Sonia Sierra Wolf and Claudia Ortega

**PROTECTIVE ORDERS**

**Item 36 Out of Order**

**Protective Orders: Protecting Information of People Under 18 Years Old** (Action required – recommend Judicial Council action)

Presenters: Frances Ho, Patrick O'Donnell and Anne Ronan

**APPELLATE**

**Item 03**

**Appellate Procedure: Finality of Appellate Division Decisions** (amend rules 8.887, 8.888, 8.889, 8.935, 8.976, and 8.1005) (Action required – recommend Judicial Council action)

Presenter: Sarah Abbott

**Item 04**

**Appellate Procedure and Family Law: Settled Statements in Unlimited Civil Cases** (approve forms APP-014A, APP-014-INFO, APP-020, APP-022, APP-025; revise forms APP-003, APP-010;

revoke form APP-001 and replace with APP-001-INFO; revoke form APP-014 and replace with APP-014) (Action required – recommend Judicial Council action)

Presenter: Gabrielle Selden and Christy Simons

**Item 05**

**Appellate Procedure: Notice of Appeal and Record on Appeal in Appellate Division Cases** (revise forms APP-102, APP-110, CR-132, CR-134, and CR-142) (Action required – recommend Judicial Council action)

Presenter: Christy Simons

**Item 06**

**Appellate Procedure: Electronic Sealed and Confidential Records and Lodged Records in the Court of Appeal** (amend, rules 8.45, 8.46, and 8.47) (Action required – recommend Judicial Council action)

Presenter: Ingrid Leverett

**CRIMINAL JURY INSTRUCTIONS (CALCRIM)**

**Item 07**

**Jury Instructions: Additions, Deletions, and Revisions to Criminal Jury Instructions** (Action required – recommend Judicial Council action)

Presenter: Kara Portnow

**CIVIL**

**Item 08**

**Civil Forms: Gender Discrimination Notice** (adopt GDC-001) (Action required – recommend Judicial Council action)

Presenters: Susan McMullan

**Item 09**

**Civil Forms: Declarations of Demurring or Moving Party Regarding Meet and Confer** (revise forms CIV-140 and CIV-141) (Action required – recommend Judicial Council action)

Presenters: Susan McMullan

**Item 10**

**Civil Practice and Procedure: Review of Denial of Request to Remove Name From Shared Gang Database** (amend rule 3.2300; revise form MC-1000) (Action required – recommend Judicial Council action)

Presenters: Susan McMullan

**Item 11**

**Civil Forms: Confidential Information Form Under Civil Code § 1708.85** (revise form MC-125) (Action required – recommend Judicial Council action)

Presenters: Sarah Abbott

**CRIMINAL**

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**Item 12 — Deferred**

~~**Criminal Procedure: Multicounty Incarceration and Supervision**~~ (amend rule 4.452) (Action required — recommend Judicial Council action)

~~Presenter: Eve Hersheopf~~

**Item 13**

**Criminal Procedure: Petition for Writ of Habeas Corpus** (revise form MC-275) (Action required – recommend Judicial Council action)

Presenter: Eve Hersheopf

**Item 14**

**Criminal Justice Realignment: Petition and Order for Dismissal** (revise forms CR-180 and CR-181) (Action required – recommend Judicial Council action)

Presenter: Eve Hersheopf

**Item 15**

**Criminal Procedure: Confidentiality of Court-Appointed Experts' Reports in Mental Competency Proceedings** (amend rule 4.130) (Action required – recommend Judicial Council action)

Presenter Amy Kimpel

**Item 16**

**Criminal Procedure: Determination of Probable Cause Under Penal Code section 1368.1(a)(2)** (adopt rule 4.131) (Action required – recommend Judicial Council action)

Presenter: Amy Kimpel

**Item 17**

**Criminal Procedure: Judicial Council Forms for a Dismissal of a Conviction of a Violation of Penal Code Section 647f** (approve forms CR-404 and CR-405) (Action required – recommend Judicial Council action)

Presenter: Eve Hershcopf

**Item 18**

**Criminal Procedure: Petition to Seal Arrest and Related Records** (approve forms CR-409, CR-409-INFO, and CR-410) (Action required – recommend Judicial Council action)

Presenter: Eve Hershcopf

**FAMILY AND JUVENILE**

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**Item 19**

**Family Law: Income and Expense Declaration** (revise form FL-150) (Action required – recommend Judicial Council action)

Presenter: Gabrielle Selden

**Item 20**

**Family Law: Transfer of Jurisdiction** (adopt rule 5.97) (Action required – recommend Judicial Council action)

Presenter: Tracy Kenny

**Item 21**

**Juvenile Law: Decriminalization of Convictions Under Penal Code Section 647f** (adopt forms JV-742 and JV-743) (Action required – recommend Judicial Council action)

Presenter: Nicole Giacinti

**Item 22**

**Juvenile Law: Vacatur of Convictions Related to Human Trafficking and Preservation of Extended Foster Care Eligibility** (amend rules 5.812, 5.903, and 5.906; adopt rule 5.811; revise

forms JV-320, JV-367, JV-462, JV-464, JV-466, JV-470, JV-472, JV-680, JV-682, and JV-683; approve forms JV-748 and JV-749) (Action required – recommend Judicial Council action)

Presenter: Nicole Giacinti

**Item 23**

**Juvenile Law: Electronic Filing and Service in Juvenile Court Matters (Implementation of AB 976)** (amend rules 5.504, 5.522, 5.524, 5.534, 5.538, 5.565, 5.570, 5.590, 5.640, 5.695, 5.700, 5.726, 5.727, 5.728, and 5.906; adopt rule 5.523; revise forms EFS-005-JV/JV-141, JV-217-INFO, JV-221, JV-282, JV-310, JV-326, JV-326-INFO, and JV-510, and approve new form JV-510(A)) (Action required – recommend Judicial Council action)

Presenter: Diana Glick

**Item 24**

**Juvenile Law: School Notification of Delinquency Court Adjudication** (amend form JV-690) (Action required – recommend Judicial Council action)

Presenter: Daniel Richardson

**Item 25**

**Juvenile Law: Dependency Hearings—Continued Condensing of the Rules of Court** (amend rules 5.678, 5.690, 5.695, and 5.708; repeal rule 5.526) (Action required – recommend Judicial Council action)

Presenter: Kerry Doyle

**Item 26**

**Juvenile Law: Intercounty Placements** (amend rule 5.610; repeal and adopt rule 5.614; approve forms JV-555 and JV-556) (Action required – recommend Judicial Council action)

Presenter: Kerry Doyle

**Item 27 — Deferred**

~~**Juvenile Law: Guardianship Forms** (revise forms JV-330 and JV-350) (Action required – recommend Judicial Council action)~~

~~Presenter: Corby Sturges~~

**Item 28**

**Juvenile Law: Information for Parents** (revise forms JV-060 and renumber JV-060 INFO) (Action required – recommend Judicial Council action)

Presenter: Corby Sturges

## PROBATE

### Item 30

**Probate Conservatorship: Major Neurocognitive Disorder** (revise forms GC-310, GC-313, GC-333, GC-334, GC-335, GC-335A, GC-380, GC-385) (Action required – recommend Judicial Council action)

Presenter: Corby Sturges

### ~~Item 31 — Deferred~~

~~**Probate Guardianship: Response to Petition** (revise forms GC-211 and GC-212) (Action required – recommend Judicial Council action)~~

~~Presenter: Corby Sturges~~

### ~~Item 32 — Deferred~~

~~**Probate Guardianship and Conservatorship: Qualifications and Training of Appointed Counsel** (amend rule 7.1101; revise forms GC-010 and GC-011) (Action required – recommend Judicial Council action)~~

~~Presenter: Corby Sturges~~

### Item 33

**Probate Conservatorship: Interstate Transfer** (approve forms GC-363, GC-364, GC-365, GC-366, GC-367, and GC-368) (Action required – recommend Judicial Council action)

Presenter: Corby Sturges

### Item 34

**Probate Guardianship and Conservatorship: Appointment of Counsel** (approve forms GC-005 and GC-006) (Action required – recommend Judicial Council action)

Presenter: Corby Sturges

## PROTECTIVE ORDERS

### Item 35

**Protective Orders: Entry of Interstate and Tribal Protective Orders, Canadian Protective Orders, and Gun Violence Restraining Orders into CLETS** (amend rule 1.51 and 2.503; adopt form DV-630) (Action required – recommend Judicial Council action)

Presenters: Greg Tanaka, Frances Ho and Patrick O'Donnell

## TECHNOLOGY

### Item 37

**Rules and Forms: Electronic Filing and Service** (amend rules 2.250, 2.251, 2.255, and 2.257)  
(Action required – recommend Judicial Council action)

Presenter: Andrea Jaramillo

### Item 38

**Rules and Forms: Remote Access to Electronic Records** (adopt rules 2.515–2.528 and 2.540–2.545; amend rules 2.500–2.503) (Action required – recommend Judicial Council action)

Presenter: Andrea Jaramillo

### Item 39

**Rules and Forms: Form for Withdrawal of Consent to Electronic Service** (adopt form EFS-006)  
(Action required – recommend Judicial Council action)

Presenter: Andrea Jaramillo

## PROP 66 WORKING GROUP

### Item 40

**Criminal and Appellate Procedure: Record Preparation in Death Penalty Cases** (amend rules 8.610, 8.613, 8.616, 8.619, and 8.622; adopt rules 4.119, 4.230, 8.608, and 8.611; repeal rule 8.625; adopt forms CR-600 and CR-605; and approve forms CR-601, CR-602, CR-603, and CR-604)

Presenter: Heather Anderson, Michael Giden, and Seung Lee

## MISCELLANEOUS

### Item 41

**Rules and Forms: Technical Amendments** (revise rule 5.552; amend Title 5, Division 3, Chapter 13, Article 2) (Action required – recommend Judicial Council action)

Presenter: Susan McMullan

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## IV. ADJOURNMENT

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**Adjourn**