



JUDICIAL COUNCIL OF CALIFORNIA

RULES AND PROJECTS
COMMITTEE

www.courts.ca.gov/ruprometings.htm
ruprometings@jud.ca.gov

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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

Date: Wednesday, April 10, 2019
Time: 10:00 a.m. – 1:30 p.m.
Location: Teleconference Meeting
Public Call-in Number: 1-877-820-7831/Listen Only Passcode: 8254930

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

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

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

Call to Order and Roll Call

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

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to 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 10:00 a.m. on Tuesday, April 09 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS

APPELLATE

Invitation to Comment(s)–Recommend Circulation for Comment

Item 01

Appellate Procedure: Notice of appeal and the record in civil commitment cases (adopt rule 8.483; amend rule 8.320; approve form APP-060) (Action required – recommend circulation for comment)

Presenter: Sarah Abbot

Item 02

Appellate Procedure: Form of Filed Documents in the Appellate Division (adopt rule 8.815) (Action required – recommend circulation for comment)

Presenter: Sarah Abbott

Item 03

Appellate Procedure: Advisement of Appellate Rights in Juvenile Cases (amend rule 5.590; and approve form JV-805-INFO) (Action required – recommend circulation for comment)

Presenter: Christy Simons

Item 04

Appellate Procedure: Oral Argument in Appellate Division Appeals (amend rule 8.885; approve forms APP-108 and CR-138; revise forms APP-101-INFO and CR-131-INFO) (Action required – recommend circulation for comment)

Presenter: Christy Simons

Item 05

Appellate Procedure: Word Limits for Petitions for Rehearing in Unlimited Civil Cases (amend rules 8.204 and 8.268) (Action required – recommend circulation for comment)

Presenter: Christy Simons

Item 06

Appellate Procedure and Juvenile Law: Access to Juvenile Case Files in Appellate Court Proceedings (amend rules 8.400, 8.401, 8.405, 8.407, 8.408, 8.409, 8.410, 8.412, 8.416, 8.450, 8.452, 8.454, and 8.456; adopt form JV-291; amend forms JV-285, JV-290, JV-295, JV-321, JV-325, JV-570, JV-800, and JV-820) (Action required – recommend circulation for comment)

Presenter: Christy Simons

Item 07

Appellate Procedure: Uniform Formatting Rules for Electronic Documents (amend rules 8.40, 8.44, 8.71, 8.72, 8.74, 8.204, and 8.252) (Action required – recommend circulation for comment)

Presenter: Christy Simons and Kristi Morioka

Item 08

Appellate Procedure: Service Copy of a Petition for Review (amend rule 8.500) (Action required – recommend circulation for comment)

Presenter: Kristi Morioka

CIVIL

Invitation to Comment–Recommend Circulation for Comment

Item 09

Alternative Dispute Resolution: Mediation Confidentiality Disclosures Under SB 954 (Approve form ADR-200) (Action required – recommend circulation for comment)

Presenter: Kristi Morioka

Item 10

Civil Practice and Procedure: Separate Statements for Discovery Motions (Amend rule 3.1345) (Action required – recommend circulation for comment)

Presenter: Anne Ronan

Item 11

Small Claims: Information about Court Interpreters on JC Forms (Revise forms SC-100 and SC-100 INFO) (Action required – recommend circulation for comment)

Presenter: Anne Ronan

Item 12

Civil Practice and Procedure: Case Management Rules (Amend rule 3.720(b)) (Action required – recommend circulation)

Presenter: Anne Ronan

~~Item 13-Deferred~~

~~CEQA: New Fees for Expedited Review (Adopt rule 3.2240 and amend rules 3.2200, 3.2220-3.2223, and 8.700-8.703 (joint proposal with Appellate Advisory Committee)) (Action required – recommend circulation)~~

~~Presenter: Anne Ronan~~

Judicial Council Report(s)–Recommend Council Action

Item 14

Civil Practice and Procedure: Waivers of Court Fees for Court Reporters and Interpreters (Amend Cal. Rules of Court, rules 2.956 and 3.55; revise forms FW-001-INFO, FW-003, FW-003-GC, FW-005, FW-005-GC, FW-008, FW-008-GC, FW-012, and FW-012-GC) (Action required – recommend council action)

Presenter: Susan McMullan

Item 15

Civil Practice and Procedure: Order on Unlawful Use of Personal Identifying Information (Adopt form CIV-165) (Action required – recommend council action)

Presenter: Susan McMullan

Item 16

Civil Practice and Procedure: Unlawful Detainer (Revise forms SUM-130 and UD-105) (Action required – recommend council action)

Presenter: Susan McMullan

Item 17

Restraining Orders: Proposed Gun Violence Restraining Orders for Senate Bill 1200 Hearing Requirement (Adopt forms GV-009, GV-020, GV-020- INFO, GV-025, GV-030; and revise forms EPO-002, GV-200, GV-800, GV-800-INFO) (Action required – recommend to council)

Presenter: Kristi Morioka

COLLABORATIVE JUSTICE

Invitation to Comment(s)–Recommend Circulation for Comment

Item 18

Military Service: Mandatory Form for Notification of a Party's Military Status (MIL-100) (Action required – recommend circulation for comment)

Presenter: Jenie Chang

CRIMINAL

Invitation to Comment(s)–Recommend Circulation for Comment

Item 19

Criminal Procedure: Vacatur Relief for Human Trafficking Victims (approve Cal. Standards of Judicial Administration, standard 4.15) (Action required – recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 20

Criminal Procedure: Immigration Consequences Explanation on Plea Forms (revise forms CR-101 and CR-102) (Action required – recommend circulation for comment)

Presenter: Amy Kimpel

Item 21

Criminal Procedure: Interpreter’s Statements on Judicial Council Criminal Forms (revise CR-101, CR-102, CR-115, and CR-170) (Action required – recommend circulation for comment)

Presenter: Eve Hershcopf

Item 22

Criminal Procedure: Diversion for Incompetent Defendants and Posttrial Hearings on Competency (amend rule 4.130) (Action required – recommend circulation for comment)

Presenter: Amy Kimpel

Item 23

Criminal Procedure: Proof of Service in Record Clearing Requests (approve form CR-106 and form CR-106-INFO) (Action required – recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 24

Criminal Procedure: Petition for Resentencing (Military) (approve form CR-412/MIL-412) (Action required – recommend circulation for comment)

Presenter: Amy Kimpel

Item 25

Criminal Procedure: Proper Motion and Order to Vacate Conviction or Sentence (revise forms CR-187 and CR-188) (Action required – recommend circulation for comment)

Presenter: Eve Herschopf

JUVENILE

Invitation to Comment(s)–Recommend Circulation for Comment

Item 26

Juvenile Law: Legal Accuracy of Forms (revise forms JV-180, JV-364, and JV-618) (Action required – recommend circulation for comment)

Presenter: Nicole Giacinti

Item 27

Juvenile Law: Out-of-County Placements (amend rule 5.614; revise form JV-555) (Action required – recommend circulation for comment)

Presenter: Kerry Doyle

Item 28

Juvenile Law: Competency (amend rules 5.643 and 5.645) (Action required – recommend circulation for comment)

Presenter: Kerry Doyle

Item 29

Juvenile Law: Transfer of Jurisdiction to Criminal Court (amend Cal. Rules of Court, rules 5.766, 5.768, and 5.770; revise forms JV-060-INFO and JV-710) (Action required – recommend circulation for comment)

Presenter: Tracy Kenny

Item 30

Juvenile Law: Sealing of Records (amend rule 5.840; revise form JV-596-INFO) (Action required – recommend circulation for comment)

Presenter Tracy Kenny

FAMILY

Invitation to Comment(s)–Recommend Circulation for Comment

Item 31

Family Law: Rule and Forms for Minor to Marry or Establish a Domestic Partnership (adopt rule 5.448; approve form FL-912, revise forms FL-910 and FL-915) (Action required – recommend circulation for comment)

Presenter: Gabrielle Selden

Item 32

Family Law: Changes to Continuance Rule and Forms (adopt rule 5.95; amend rules 5.2, 5.94, 5.151, and 5.165; approve forms FL-306/FL-307/FL-308-INFO, FL-308, FL-309, and FL-310; revise forms FL-303 and FL-306; revoke and replace form FL-307) (Action required – recommend circulation for comment)

Presenter: Gabrielle Selden

Item 33

Family Law: Certification of Statewide Uniform Guideline Support Calculators (amend rule 5.275) (Action required – recommend circulation for comment)

Presenter: Gary Slossberg

Item 34

Family Law: Duty of Judge Hearing Matter per Family Code Sections 4521(a), 4252(b)(7) (amend rule 5.305(b) (Action required – recommend circulation for comment)

Presenter: John Henzl

Item 35

Family Law: Registration of Support Order (adopt form FL-445; revise forms FL-570 and FL-575) (Action required – recommend circulation for comment)

Presenter: John Henzl

Item 36

Family Law: Changes to Parentage Rules and Forms (amend rules 5.350 and 5.635; revise forms FL-100, FL-120, FL-170, FL-200, FL-220, FL-230, FL-235, FL-250, FL-260, FL-270, FL-272, FL-273, FL-274, FL-276, FL-278, FL-280, FL-281, FL-285, FL-290, FL-300-INFO, FL 600, FL 610, FL 615, FL-686, and FL 694) (Action required – recommend circulation for comment)

Presenters: John Henzl and Gabrielle Selden

Item 37

Family Law: Legislative Addition of New Category of Child Custody Evaluator (amend rule 5.225; revise forms FL-325 and FL-326) (Action required – recommend circulation for comment)

Presenter: Chris Cleary

Judicial Council Report(s)–Recommend Council Action

Item 38

The Family Law: Technical Changes to Summary Dissolution Forms (revise forms FL-800 and FL-810) (Action required – recommend to council)

Presenter: Gabrielle Selden

Item 43-Out of Order

Juvenile Law: Guardianship Information (revise form JV-330; revise and renumber form JV-350 as JV-350-INFO) (Action required – recommend Judicial Council action)

Presenter: Corby Sturges

PROBATE AND MENTAL HEALTH

Invitation to Comment(s)–Recommend Circulation for Comment

Item 39

Probate Conservatorships and Guardianships: Accounting (7.575 and GC-410 (new) (Action required – recommend circulation for comment)

Presenter: Corby Sturges

~~Item 40 (Deferred)~~

~~Probate Law: Compromise of Claim for Minor or Person with Disability (MC 350, MC 350(A-13b(5)), MC 350EX, MC 351, MC 355, MC 356, MC 357, MC 358) (Action required – recommend circulation for comment)~~

~~Presenter: Corby Sturges~~

Item 41

Rules and Forms: Graduated Filing Fee in Probate Proceedings (7.151, 7.550) (Action required – recommend circulation for comment)

Presenter: Corby Sturges

Item 42

Probate Law: Notice of Hearing (DE-120) (Action required – recommend circulation for comment)

Presenter: Corby Sturges

Judicial Council Report(s)–Recommend Council Action

~~Item 44 (Deferred)~~

~~Probate Conservatorship and Guardianship: Qualifications and Education of Appointed Counsel (adopt rules 7.1101–7.1105; repeal rule 7.1101; revise forms GC-010 and GC-011) (Action required – recommend Judicial Council action)~~

~~Presenter: Corby Sturges~~

PROTECTIVE ORDERS

Invitation to Comment(s)–Recommend Circulation for Comment

Item 45

Protective Orders: Revisions to Continuance Forms (revise forms CH-115, CH-116, DV-115, DV-116, EA-115, EA-116, GV-115, GV-116, SV-115, SV-116 WV-115, and WV-116) (Action required – recommend circulation for comment)

Presenters: Frances Ho and Kristi Morioka

Item 46

Protective Orders: New INFO Form on Protecting Minor's Information (approve forms CH-160-INFO and DV-160-INFO) (Action required – recommend circulation for comment)

Presenter: Frances Ho and Kristi Morioka

Item 47

Protective Orders: Alternative Service in Domestic Violence Prevention Act Cases (Action required – recommend circulation for comment)

Presenter: Frances Ho and Kristi Morioka

PROVIDING ACCESS AND FAIRNESS

Judicial Council Report(s)–Recommend Council Action

Item 48

Language Access Plan: Language Services in Noncourtroom Settings (adopt rule 1.300; approve forms LA-350, LA-400, and LA-450) (Action required – recommend Judicial Council action)

Presenter: Diana Glick

TECHNOLOGY

Invitation to Comment(s)–Recommend Circulation for Comment

Item 49

Rules and Forms: Electronic Filing and Service (amend rules 2.251, 2.255, and 2.257) (Action required – recommend circulation for comment)

Presenter: Andrea Jaramillo

Item 50

Rules and Forms: Remote Access to Electronic Records by Government Entities (amend rule 2.540) (Action required – recommend circulation for comment)

Presenter: Andrea Jaramillo

TRIBAL COURT STATE COURT FORUM

Invitation to Comment(s)–Recommend Circulation for Comment

Item 51

Indian Child Welfare Act (ICWA); Implementation of AB 3176 – Indian children; Federal ICWA regulations and Guidelines. (5.480; 5.481; 5.482; 5.483; 5.484; 5.485; 5.486; 5.487; 5.488; 5.570; 5.668; 5.674; 5.676; 5.678; 5.690; 5.725; ICWA-005-INFO;ICWA-010(A); ICWA-020; ICWA-030; ICWA-040; ICWA-050; ICWA-060; ICWA-070;(new) ICWA-080;(new) ICWA-090;(new) JV-100; JV-110; JV-320; JV-405; JV-410; JV-415; JV-418; JV-421; JV-430; JV-432; JV-433; JV-435; JV-437; JV-438; JV-440; JV-442; JV-443 JV-455; JV-457; JV-600) (Action required – recommend circulation for comment)

Presenter: Ann Gilmour

MISCELLANEOUS

Judicial Council Report(s)–Recommend Council Action

Item 52

Rules and Forms: Technical Amendments (revise forms JV-250; JV-255; JV-296; JV-297; and JV-299) (Action required – recommend Judicial Council action)

Presenter: Susan McMullan

IV. ADJOURNMENT

Adjourn