



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, August 21, 2019
Time: 12:10 p.m. – 2:30 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 12:10 p.m. on Tuesday, August 20 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS

APPELLATE

Judicial Council Report(s)–Recommend Council Action

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 council action)

Presenter: Sarah Abbot

Item 02

Appellate Procedure: Form of Filed Documents in the Appellate Division (adopt rule 8.815) (Action required – recommend council action)

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 council action)

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 council action)

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 council action)

Presenter: Christy Simons

Item 06

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 council action)

Presenter: Eric Long

Item 07

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

Presenter: Eric Long

CALIFORNIA CRIMINAL JURY INSTRUCTIONS (CALCRIM)

Judicial Council Report(s)–Recommend Council Action

Item 08

Jury Instructions: Revisions to Judicial Council of California Criminal Jury Instructions (CALCRIM)
(Action required – recommend council action)

Presenter: Kara Portnow

CIVIL

Judicial Council Report(s)–Recommend Council Action

Item 09

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

Presenter: Kristi Morioka

Item 10

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

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 council action)

Presenter: Anne Ronan

Item 12

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

Presenter: Anne Ronan

CRIMINAL

Judicial Council Report(s)–Recommend Council Action

Item 13

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

Presenter: Sarah Fleischer-Ihn

Item 14

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

Presenter: Eve Herschopf

Item 15

Criminal Procedure: Interpreter's Statements on Judicial Council Criminal Forms (revise CR-101, CR-102, CR-115, and CR-170) (Action required – recommend council action)

Presenter: Eve Herschopf

Item 16

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

Presenter: Sarah Fleischer-Ihn

Item 17

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

Presenter: Sarah Fleischer-Ihn

Item 18

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

Presenter: Sarah Fleischer-Ihn

Item 19

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

Presenter: Eve Herschopf

JUVENILE

Judicial Council Report(s)–Recommend Council Action

Item 20

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

Presenter: Nicole Giacinti

Item 21

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

Presenter: Kerry Doyle

Item 22

Juvenile Law: Competency (amend rules 5.643 and 5.645) (Action required – recommend council action)

Presenter: Kerry Doyle

Item 23

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 council action)

Presenter: Tracy Kenny

Item 24

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

Presenter Tracy Kenny

FAMILY

Judicial Council Report(s)–Recommend Council Action

Item 25

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 council action)

Presenter: Tracy Kenny

Item 26

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 council action)

Presenter: Gregory Tanaka

Item 27

Family Law: Certification of Statewide Uniform Guideline Support Calculators (amend rule 5.275) (Action required – recommend council action)

Presenter: Gary Slossberg

Item 28

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

Presenter: John Henzl

Item 29

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

Presenter: John Henzl

Item 30

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 council action)

Presenters: John Henzl and Bonnie Hough

Item 31

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 council action)

Presenter: Bonnie Hough

Item 32

Family Law Rules and Forms: Miscellaneous Technical Changes Required by Sunsetting of Family Code section 4007.5

Presenters: John Henzl

PROBATE AND MENTAL HEALTH

Judicial Council Report(s)–Recommend Council Action

Item 33

Probate Conservatorships and Guardianships: Accounting (7.575 and GC-410 (new) (Action required – recommend council action)

Presenter: Corby Sturges

Item 34

Rules and Forms: Graduated Filing Fee in Probate Proceedings (7.151, 7.550) (Action required – recommend council action)

Presenter: Corby Sturges

Item 35

Probate Law: Notice of Hearing (DE-120) (Action required – recommend council action)

Presenter: Corby Sturges

Item 36

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

Judicial Council Report(s)–Recommend Council Action

Item 37

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 council action)

Presenters: Frances Ho and Kristi Morioka

Item 38

Protective Orders: New INFO Form on Protecting Minor’s Information (approve forms CH-160-INFO and DV-160-INFO) (Action required – recommend council action)

Presenter: Frances Ho and Kristi Morioka

Item 39

Protective Orders: Alternative Service in Domestic Violence Prevention Act Cases (Action required – recommend council action)

Presenter: Frances Ho and Kristi Morioka

TECHNOLOGY

Judicial Council Report(s)–Recommend Council Action

Item 40

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

Presenter: Andrea Jaramillo

Item 41

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

Presenter: Andrea Jaramillo

TRIBAL COURT STATE COURT FORUM

Judicial Council Report(s)–Recommend Council Action

Item 42

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 council action)

Presenter: Ann Gilmour

MISCELLANEOUS

Judicial Council Report(s)–Recommend Council Action

Item 43

Rules and Forms: Technical Amendments (revise rules 8.380, 8.384, 8.851, 8.866, 8.868, 8.917 and 8.919; revise forms APP-013; CR-131, CR-132, CR-133, CR 134, CR-141; CR-142, GC-363, and GC-366) (Action required – recommend Judicial Council action)

Presenter: Susan McMullan

IV. ADJOURNMENT

Adjourn