

Advisory Committee on Civil Jury Instructions
Annual Agenda¹—2020
Approved by RUPRO: [Date]

I. COMMITTEE INFORMATION

Chair:	Hon. Martin J. Tangeman, Justice California Court of Appeal, Second Appellate District
Lead Staff:	Eric Long, Attorney Legal Services
Committee's Charge/Membership: Rule 10.58 of the California Rules of Court states the charge of the Advisory Committee on Civil Jury Instructions, which is to make recommendations to the Judicial Council for updating, amending, and adding topics to the council's civil jury instructions (CACI). The Advisory Committee on Civil Jury Instructions currently has 22 members (a majority of which must be judges), and under rule 10.58, the Committee must include at least one member from each of the following categories: (1) appellate court justice; (2) trial court judge; (3) lawyer whose primary area of practice is civil law; and (4) law professor whose primary area of expertise is civil law.	
Subcommittees/Working Groups²: The committee has three subcommittees (referred to internally as working groups). Each is made up exclusively of committee members. Each working group reviews a third of the proposed meeting agenda before the full committee meeting and makes recommendations to the committee regarding each proposal. The working groups are: <ol style="list-style-type: none">1. Working Group 122. Working Group 343. Working Group 56	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³	
1.	<p>Secondary Sources Process Propose to RUPRO and the Judicial Council new standard for selecting and updating Secondary Sources to ensure that the secondary sources included in CACI will not become out of date.</p>	<p>Priority 2⁴ See footnote 4</p>
<p>Project Summary⁵: Recommend that the Judicial Council transfer to licensee publishers, under specific guidelines approved by the committee, the responsibility for selecting Secondary Sources for inclusion in CACI and the responsibility for keeping those selected sources up to date. Recommend that the Judicial Council retain CACI’s copyright in Secondary Sources included with any edition of CACI.</p> <p>Status/Timeline: AC will present no later than May 2020 a proposal to RUPRO for consideration to change the standard for secondary sources. If approved by RUPRO, AC would prepare for inclusion in the User Guide a paragraph summarizing the standard and advising that the Judicial Council no longer selects the Secondary Sources, nor guarantees their accuracy and currency. AC’s proposed new standard for secondary sources and addition to the User Guide to be presented to the Judicial Council no later than November 2020.</p> <p>Fiscal Impact/Resources: Substantial staff time one time to remove all of the current Secondary Sources from the CACI master files.</p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: None.</p>		

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁵ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

# Ongoing Projects and Activities	
1.	<p>Maintenance—Case Law</p> <p style="text-align: right;">Priority 1</p> <p><i>Project Summary:</i> Review new case law affecting jury instructions to determine whether changes to any civil jury instructions are required. Draft and present proposed changes for council approval.</p> <p><i>Status/Timeline:</i> Ongoing with delivery of any changes requiring Judicial Council approval to the council at its May and November meetings; delivery of any changes requiring only RUPRO approval to RUPRO in January, May, July, and November.</p> <p><i>Fiscal Impact/Resources:</i> Substantial staff time for research and drafting.</p> <p><i>Internal/External Stakeholders:</i> Civil litigation practitioners, trial and appellate courts, and the legislature.</p> <p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>
2.	<p>Maintenance—Legislation</p> <p style="text-align: right;">Priority 1</p> <p><i>Project Summary:</i> Review new legislation affecting jury instructions to determine whether changes to any civil jury instructions are required. Draft and present proposed changes for council approval. Make any necessary citation revisions to statutes cited under Sources and Authority.</p> <p><i>Status/Timeline:</i> Ongoing, with delivery of any changes requiring Judicial Council approval to the council at its May and November meetings; and delivery of any changes requiring only RUPRO approval to RUPRO in January.</p> <p><i>Fiscal Impact/Resources:</i> Staff time to review newly-enacted legislation.</p> <p><i>Internal/External Stakeholders:</i> Civil litigation practitioners, trial and appellate courts, and the legislature.</p> <p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>

# Ongoing Projects and Activities	
3.	<p>New Instructions and Expansion into New Areas</p> <p style="text-align: right;">Priority 1</p> <p><i>Project Summary:</i> Review suggestions received from jury instruction users, new legislation, and case law; draft and propose new civil jury instructions, including new series of instructions in an entirely new subject area, as appropriate.</p> <p><i>Status/Timeline:</i> Ongoing.</p> <p><i>Fiscal Impact/Resources:</i> Substantial staff time for research and drafting.</p> <p><i>Internal/External Stakeholders:</i> Civil litigation practitioners, trial and appellate courts, and the legislature.</p> <p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>
4.	<p>Maintenance—Comments from Users</p> <p style="text-align: right;">Priority 1</p> <p><i>Project Summary:</i> Review comments, suggestions, and concerns received from bench and bar jury instruction users and propose any necessary changes and improvements.</p> <p><i>Status/Timeline:</i> Ongoing, with delivery to Judicial Council at May and November meetings.</p> <p><i>Fiscal Impact/Resources:</i> Substantial staff time for research and drafting.</p> <p><i>Internal/External Stakeholders:</i> Civil litigation practitioners, trial and appellate courts, and the legislature.</p> <p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>

#	Ongoing Projects and Activities	
5.	Technical Corrections	Priority 1
<p><i>Project Summary:</i> Make any necessary corrections or editing changes to the jury instructions.</p>		
<p><i>Status/Timeline:</i> Ongoing, with delivery to Judicial Council at its November meeting.</p>		
<p><i>Fiscal Impact/Resources:</i> Modest amount of staff time.</p>		
<p><i>Internal/External Stakeholders:</i> Bench and bar civil jury instruction users.</p>		
<p><i>AC Collaboration:</i> None.</p>		
6.	Maintenance—Sources and Authority	Priority 1
<p><i>Project Summary:</i> Add excerpts from new cases to Sources and Authority sections as appropriate once source is final.</p>		
<p><i>Status/Timeline:</i> Ongoing, with delivery to RUPRO in January, May, July, and November.</p>		
<p><i>Fiscal Impact/Resources:</i> Substantial staff time for case review and drafting.</p>		
<p><i>Internal/External Stakeholders:</i> Civil litigation practitioners, trial and appellate courts, and the legislature.</p>		
<p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>		

III. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Maintenance—Case Law and Legislation: Releases presented to Judicial Council for approval on May 17, 2019 and to be presented to the Judicial Council on November 15, 2019.
2.	New Instructions and Expansion into New Areas: Releases presented to Judicial Council for approval on May 17, 2019 and to be presented to the Judicial Council on November 15, 2019.
3.	Maintenance—Sources and Authority: Releases presented to RUPRO for approval January, May, and July 2019.
4.	Maintenance—Comments From Users: Releases presented to Judicial Council for approval on May 17, 2019 and to be presented to the Judicial Council on November 15, 2018.
5.	Technical Corrections: Release to be presented to Judicial Council on November 15, 2019.

Advisory Committee on Criminal Jury Instructions
Annual Agenda—2020
To Be Approved by RUPRO: October 28, 2019

I. COMMITTEE INFORMATION

Chair:	Hon. Peter J. Siggins, Presiding Justice, Court of Appeal, First Appellate District, Division Three
Lead Staff:	Kara Portnow, Attorney, Criminal Justice Services
Committee's Charge/Membership:	<p>Make recommendations to the Judicial Council to update, revise, and add topics to the Judicial Council criminal jury instructions (CALCRIM) [Rule 10.59]</p> <p>The Advisory Committee on Criminal Jury Instructions currently has 13 members. The attached term of services chart provides the composition of the committee.</p> <ul style="list-style-type: none">2 appellate court justices;6 trial court judges;2 attorneys whose primary area of practice is criminal defense;2 attorneys whose primary area of practice is representing the People of the State of California in criminal matters;1 law school professor whose primary area of expertise is criminal law.
Subcommittees/Working Groups:	The committee has one subcommittee, the CALCRIM Workgroup, consisting of six members who meet to pre-vet all materials before they go to the full committee for review.

II. COMMITTEE PROJECTS

#	New or One-Time Projects	
1.	<i>Project Title</i> Not applicable.	<i>Priority</i>
<i>Project Summary:</i> <i>Status/Timeline:.</i> <i>Fiscal Impact/Resources:.</i> <i>Internal/External Stakeholders:</i> <i>AC Collaboration:</i>		

#	Ongoing Projects and Activities	
1.	Project Title: Maintenance—Case Law and Legislation	Priority 1
<p>Project Summary: Review case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at March and September meetings.</p> <p>Fiscal Impact/Resources: No implementation costs are associated with this project. To the contrary, under the publication agreement, the official publisher, LexisNexis, will print a new edition and pay royalties to the Judicial Council. The council’s contract with West Publishing provides additional royalty revenue.</p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		
2.	Project Title: Maintenance—Comments From Users	Priority 1
<p>Project Summary: Review comments received from jury instruction users and propose any necessary changes and improvements. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at March and September meetings.</p> <p>Fiscal Impact/Resources: No implementation costs are associated with this project. To the contrary, under the publication agreement, the official publisher, LexisNexis, will print a new edition and pay royalties to the Judicial Council. The council’s contract with West Publishing provides additional royalty revenue.</p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		

#	Ongoing Projects and Activities	
3.	Project Title: New Instructions and Expansion into New Areas.	Priority 1
<p>Project Summary: Review suggestions received from jury instruction users, new legislation, and case law and propose new criminal jury instructions as appropriate. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at March and September meetings.</p> <p>Fiscal Impact/Resources: No implementation costs are associated with this project. To the contrary, under the publication agreement, the official publisher, LexisNexis, will print a new edition and pay royalties to the Judicial Council. The council’s contract with West Publishing provides additional royalty revenue.</p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		
4.	Project Title: Technical Corrections	Priority 1
<p>Project Summary: Make any necessary corrections or editing changes to the jury instructions. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at March and September meetings.</p> <p>Fiscal Impact/Resources: No implementation costs are associated with this project. To the contrary, under the publication agreement, the official publisher, LexisNexis, will print a new edition and pay royalties to the Judicial Council. The council’s contract with West Publishing provides additional royalty revenue.</p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		

III. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Maintenance—Case Law and Legislation: Review case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required. Ongoing. Releases presented to Judicial Council for approval in March 2019 and September 2019.
2.	Maintenance—Comments From Users: Review comments received from jury instruction users and propose any necessary changes and improvements. Ongoing. Releases presented to Judicial Council for approval in March 2019 and September 2019.
3.	New Instructions and Expansion into New Areas: Review new legislation and case law and suggestions received from jury instruction users and propose new criminal jury instructions as appropriate. Ongoing. Releases presented to Judicial Council for approval in March 2019 and September 2019.
4.	Technical Corrections: Make any necessary corrections or editing changes to the jury instructions. Ongoing. Releases presented to Judicial Council for approval in March 2019 and September 2019.

Appellate Advisory Committee
Annual Agenda¹—2019-2020
Approved by RUPRO: [Date]

I. COMMITTEE INFORMATION

Chair:	Hon. Louis R. Mauro, Associate Justice of the Court of Appeal, Third Appellate District
Lead Staff:	Christy Simons, Attorney, Legal Services
Committee's Charge/Membership: Rule 10.40 of the California Rules of Court states the charge of the Appellate Advisory Committee (AAC), which is to make recommendations to the Judicial Council for improving the administration of justice in appellate proceedings and to make proposals on training for justices and appellate support staff to the Governing Committee of the Center for Judicial Education and Research. Rule 10.34 sets forth additional duties of the committee. The Appellate Advisory Committee currently has 21 members. The attached terms of service chart provides the composition of the committee.	
Subcommittees/Working Groups²: 1. Rules Subcommittee 2. Appellate Division Subcommittee 3. Legislative Subcommittee 4. Privacy Subcommittee 5. Joint Ad Hoc CEQA Fees Subcommittee 6. Joint Appellate Technology Subcommittee <i>[Recommend this subcommittee be inactive in the coming year. Development of its proposals would be streamlined and handled by the Rules Subcommittee.]</i>	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³
1.	<p data-bbox="178 280 821 313"><i>Appointment of counsel in misdemeanor appeals</i></p> <p data-bbox="1654 280 1835 313"><i>Priority 1(b)⁴</i></p> <p data-bbox="1654 362 1934 427"><i>Strategic Plan Goals III, IV⁵</i></p>
<p data-bbox="178 456 1948 667">Project Summary⁶: Consider amending rule 8.851 to (1) conform to the California Supreme Court’s opinion in <i>Gardner v. Superior Court</i> (2019) 6 Cal.5th 998, which held that a misdemeanor defendant has a right to appointed counsel to respond to a pretrial prosecution appeal; and (2) clarify that an appellate division may deny a request by a defendant convicted of a misdemeanor to be self-represented on appeal and instead appoint appellate counsel (<i>Martinez v. State of California</i> (2000) 528 U.S. 152, 161; <i>People v. Barnett</i> (2003) 31 Cal.4th 466, 473). Also consider revising form CR-133, <i>Request for Lawyer in Misdemeanor Appeal</i>, to clarify that a defendant need not be the appellant to use the form to request appointment of counsel. Subcommittee: Appellate Division.</p> <p data-bbox="178 716 1934 781">Status/Timeline: Current priority 1 project; was deferred pending Supreme Court action. Anticipated effective date of September 1, 2020 for rule and form.</p> <p data-bbox="178 829 1738 862">Fiscal Impact/Resources: Fiscal impact of appointing counsel in more misdemeanor appeals is unknown/Committee staff</p> <p data-bbox="178 911 1289 943">Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p data-bbox="178 976 485 1008">AC Collaboration: N/A</p>	

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁵ Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

⁶ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	New or One-Time Projects³	
2.	CEQA rules	<p>Priority 1(a) See footnote 4</p> <p>Strategic Plan Goal III See footnote 5</p>
<p>Project Summary: Assembly bills 1826, 734, and 987 add new projects to those for which expedited procedures are set forth under the rules of court (rules 3.2200 et seq. in the trial court and rules 8.700-8.705 in the appellate court) for challenges made under CEQA. The pertinent rules must be amended as appropriate to include the new projects. In addition, two of the bills require the Judicial Council to adopt rules regarding costs that must be paid by a project applicant/developer to the court for expedited handling of the case. Subcommittee: Joint Ad Hoc CEQA Fees Subcommittee.</p> <p>Status/Timeline: Current priority 1 project. The committee will recommend circulation on a short special cycle and council adoption at a meeting in early 2020, with an immediate effective date.</p> <p>Fiscal Impact/Resources: Committee staff, Governmental Affairs</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: Civil and Small Claims Advisory Committee</p>		
3.	Pilot program to reduce indexing of unpublished appellate opinions	<p>Priority 1(e) See footnote 4</p> <p>Strategic Plan Goals III, IV See footnote 5</p>
<p>Project Summary: Review data, evaluate results, draft a report, and develop recommendations to the Administrative Presiding Justices Advisory Committee (APJAC) and/or the Judicial Council. This program to reduce indexing of unpublished appellate opinions to better protect personal privacy without affecting public access to the opinions on the courts website was approved by RUPRO in the 2017 and 2018 annual agendas. The project is part of the privacy subcommittee’s charge to consider whether to recommend amendments to the rules of court or other actions to better protect the privacy of victims, witnesses, and others who are described in or otherwise affected by appellate opinions. Subcommittee: Privacy.</p> <p>Status/Timeline: Current priority 1 project. Report to be presented to the APJAC in December 2019.</p>		

#	New or One-Time Projects³	
	<p>Fiscal Impact/Resources: Committee staff, IT staff</p> <p>Internal/External Stakeholders: Victims, witnesses, and others who are named or identified in unpublished appellate opinions.</p> <p>AC Collaboration: N/A</p>	
4.	<p>Access to juvenile case files</p>	<p>Priority 1(e) See footnote 4</p> <p>Strategic Plan Goals I, III See footnote 5</p>
	<p>Project Summary: Implement legislation (AB 1617 (Bloom) Juvenile case files: inspection (Ch. 992, Statutes of 2018)) that allows certain parties involved in appeals of juvenile court orders, who previously had been granted access to the juvenile court case file under a court order, to access the case file for proceedings in the appellate courts. Requires the Judicial Council to adopt rules to implement this provision. Subcommittee: Joint Ad Hoc Juvenile Case Files Subcommittee.</p> <p>Status/Timeline: Based on extensive public comment this spring, the committees deferred the proposal to permit further changes. A revised proposal is expected to circulate in winter 2020. Anticipated effective date of September 1, 2020 for rule and forms.</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: Joint proposal with Family and Juvenile Law Advisory Committee</p>	
5.	<p>Consent to electronic service</p>	<p>Priority 1(b) See footnote 4</p> <p>Strategic Plan Goal III See footnote 5</p>

#	New or One-Time Projects³	
	<p>Project Summary: Amend rules 8.72, 8.74, and 8.78 to conform to section 1010.6 of the Code of Civil Procedure, which was recently amended and provides that the act of electronic filing does not constitute consent to electronic service. Subcommittee: Rules.</p> <p>Status/Timeline: New project; completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	
6.	<p>Revision of Judicial Council forms with a gender identity question or term</p> <p>Project Summary: Review forms within the committee’s purview to identify gender terms or questions. Propose revisions to those forms to replace gender terms with neutral terms or eliminate the questions. Project requested by RUPRO. Subcommittee: Rules.</p> <p>Status/Timeline: New project; completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: Unless the revisions are technical changes under rule 10.22(d)(2), the proposal will circulate for public comment.</p> <p>AC Collaboration: Consult with Criminal Law Advisory Committee and Family and Juvenile Law Advisory Committee regarding appellate forms in criminal and juvenile proceedings.</p>	<p>Priority 2(b) See footnote 4</p> <p>Strategic Plan Goals I, III, IV See footnote 5</p>
7.	<p>Clarify the filing date of an electronically filed document</p>	<p>Priority 2(b) See footnote 4</p>

#	New or One-Time Projects³	
	<p>Project Summary: Amend rule 8.77 to clarify that an e-filed document received by the court before midnight that meets the filing requirements is deemed to have been filed that day. This project addresses an ambiguity in the rule that has resulted in inconsistent treatment of e-filed documents that are received after business hours. Source of the project: California Lawyers Association. Subcommittee: Rules.</p> <p>Status/Timeline: Current priority 2 project with a completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	<p>Strategic Plan Goal III See footnote 5</p>
8.	<p>Finality of appellate division opinions certified for publication</p>	<p>Priority 2(b) See footnote 4</p> <p>Strategic Plan Goal III See footnote 5</p>
	<p>Project Summary: Currently, if the appellate division certifies a written opinion for publication or partial publication after its decision is filed and before its decision becomes final in that court, the finality period runs from the date the order for publication is sent by the court clerk to the parties. Under this rule, the appellate division loses jurisdiction before the opinion is posted on the published opinions page of the courts website because of the time for the Court of Appeal to consider transfer of the cause. As a result, the appellate division cannot address any modification requests received after posting. Consider amending rule 8.888 so that the 30 day finality period runs from the date the opinion is posted on the published opinions page. Source of the project: committee member. Subcommittee: Appellate Division.</p> <p>Status/Timeline: New project; completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p>	

#	New or One-Time Projects ³	
	<i>AC Collaboration:</i> N/A	
9.	<i>Use of an appendix in limited civil cases</i>	<p data-bbox="1654 391 1871 456"><i>Priority 2(b) See footnote 4</i></p> <p data-bbox="1654 480 1934 545"><i>Strategic Plan Goals III, IV See footnote 5</i></p>
<p data-bbox="176 570 1923 675">Project Summary: Consider amending the rules governing the record on appeal in limited civil cases to allow an appendix as a record of the written documents from the trial court proceedings as an alternative to a clerk’s transcript. Source of the project: committee member. Subcommittee: Appellate Division.</p> <p data-bbox="176 724 1024 756">Status/Timeline: New project; completion date of January 1, 2021</p> <p data-bbox="176 797 730 829">Fiscal Impact/Resources: Committee staff</p> <p data-bbox="176 870 1289 902">Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p data-bbox="176 943 489 976">AC Collaboration: N/A</p>		
10.	<i>Record retention in criminal appeals</i>	<p data-bbox="1654 1045 1871 1110"><i>Priority 2(b) See footnote 4</i></p> <p data-bbox="1654 1151 1934 1216"><i>Strategic Plan Goals III, IV See footnote 5</i></p>
<p data-bbox="176 1240 1948 1386">Project Summary: Consider amending rule 10.1028 to extend the time for keeping reporters’ transcripts in criminal appeals. The rule currently requires that the original reporter’s transcript be kept for 20 years, but this is not long enough to account for longer sentences and lengthy appellate processes. Also consider whether to require a digital copy. Source of the project: Supreme Court attorney and former Clerk/Executive Officer of a District Court of Appeal. Subcommittee: Rules.</p> <p data-bbox="176 1435 1268 1468">Status/Timeline: Current priority 2 project with a completion date of January 1, 2021</p>		

#	New or One-Time Projects³	
	<p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: Criminal Law Advisory Committee</p>	
11.	Method of notice to the court reporter	<p>Priority 2(b) See footnote 4</p> <p>Strategic Plan Goal III See footnote 5</p>
	<p>Project Summary: Consider amending rules 8.405, 8.450, and 8.454 to remove or modify the requirement that the clerk notify the court reporter “by telephone and in writing” to prepare a transcript. This language may be outdated or inconsistent with other rules requiring notification by the clerk. Source of the project: Director of Juvenile Operations, Los Angeles Superior Court. Subcommittee: Rules.</p> <p>Status/Timeline: Current priority 2 project with a completion date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: Consult with Family and Juvenile Law Advisory Committee regarding juvenile appellate rules.</p>	
12.	Clarify rule 8.70	<p>Priority 2(b) See footnote 4</p> <p>Strategic Plan Goal III See footnote 5</p>

#	New or One-Time Projects³	
	<p>Project Summary: Consider amending rule 8.70 to correct issues including redundancy, a typographical error, and non-parallel structure. Source of the project: committee chair.</p> <p>Status/Timeline: Current priority 2 project; revised completion date of January 1, 2022</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	
13.	Amendments to rule 8.83 regarding public access to electronic court records	<p>Priority 2(b) See footnote 4</p> <hr/> <p>Strategic Plan Goals III, IV See footnote 5</p>
	<p>Project Summary: Consider amendments to rule 8.83 based on the Document Management System implementation and other developments, such as permitting remote public access to briefs and requiring that records accessible at the courthouse be properly redacted. Receive status reports regarding the tagging of documents in the DMS to ensure that remote public access to those records (via courts.ca.gov, etc.) remains consistent with the protections under rule 8.83. Source of the project: committee chair and Assistant Clerk/Executive Officer of a District Court of Appeal. Subcommittee: Privacy.</p> <p>Status/Timeline: New project; completion date of January 1, 2022</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate for public comment.</p> <p>AC Collaboration: N/A</p>	

#	New or One-Time Projects ³
14.	<p data-bbox="178 217 758 253"><i>Change of address form for appellate courts</i></p> <p data-bbox="1654 217 1871 282"><i>Priority 2(b)</i> See footnote 4</p> <p data-bbox="1654 321 1923 389"><i>Strategic Plan Goal III</i> See footnote 5</p>
<p data-bbox="178 415 1923 487"><i>Project Summary:</i> Develop a form for change of address or other contact information for parties and attorneys to file in appellate courts, similar to trial court form MC-040. Source of the project: committee members. Subcommittee: Rules.</p> <p data-bbox="178 532 1029 568"><i>Status/Timeline:</i> New project; completion date of January 1, 2022</p> <p data-bbox="178 607 732 643"><i>Fiscal Impact/Resources:</i> Committee staff</p> <p data-bbox="178 682 1289 717"><i>Internal/External Stakeholders:</i> All draft proposals will circulate for public comment.</p> <p data-bbox="178 756 485 792"><i>AC Collaboration:</i> N/A</p>	
15.	<p data-bbox="178 854 890 889"><i>Service of paper copies of briefs in the Supreme Court</i></p> <p data-bbox="1654 854 1871 919"><i>Priority 2(b)</i> See footnote 4</p> <p data-bbox="1654 958 1923 1026"><i>Strategic Plan Goal III</i> See footnote 5</p>
<p data-bbox="178 1052 1923 1230"><i>Project Summary:</i> Consider amending rule 8.212 to eliminate the requirement that a party serve paper copies of its brief on the Supreme Court. The rule requires a party who files a brief in paper form in the Court of Appeal also to submit an electronic copy. If it would cause undue hardship for the party to submit an electronic copy of the brief to the Court of Appeal, the rule provides that the party may instead serve four paper copies of the brief on the Supreme Court. Source of the project: Clerk/Executive Officer of a District Court of Appeal. Subcommittee: Rules.</p> <p data-bbox="178 1276 1029 1312"><i>Status/Timeline:</i> New project; completion date of January 1, 2022</p> <p data-bbox="178 1351 732 1386"><i>Fiscal Impact/Resources:</i> Committee staff</p> <p data-bbox="178 1425 1635 1461"><i>Internal/External Stakeholders:</i> California Supreme Court. All draft proposals will circulate for public comment.</p>	

#	New or One-Time Projects ³	
	<i>AC Collaboration:</i> N/A	
16.	<p><i>Supreme Court review of a ruling on a writ petition</i></p> <p><i>Project Summary:</i> Consider developing a rule of court to clarify the proper procedure for a party seeking review of a ruling by the Court of Appeal on a writ petition. Under a court-created rule based on the court’s decision in <i>Hagan v. Superior Court of Los Angeles County</i> (1962) 57 Cal.2d 767, the party must file a petition for review in the Supreme Court, and should not file a “new” original petition in that court. Incorporating the <i>Hagan</i> rule into the California Rules of Court could help avoid recurring confusion over the proper procedure for seeking Supreme Court review. Source of the project: Supreme Court. Subcommittee: Rules.</p> <p><i>Status/Timeline:</i> New project; completion date of January 1, 2022</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> California Supreme Court. All draft proposals will circulate for public comment.</p> <p><i>AC Collaboration:</i> N/A</p>	<p><i>Priority 2(b)</i> See footnote 4</p> <hr/> <p><i>Strategic Plan Goals III, IV</i> See footnote 5</p>
17.	<p><i>Consider whether to amend rule 8.90 regarding the use of names in appellate court opinions.</i></p> <p><i>Project Summary:</i> Consider whether any amendments to rule 8.90 (which took effect January 1, 2017) should be proposed to insure it is a balanced approach to protecting individual privacy interests in appellate opinions. Consider providing additional guidance on the use of protective nondisclosure. Source of the project: committee chair and privacy subcommittee chair. Subcommittee: Privacy.</p>	<p><i>Priority 2(b)</i> See footnote 4</p> <hr/> <p><i>Strategic Plan Goals III, IV</i> See footnote 5</p>

#	New or One-Time Projects ³
	<p><i>Status/Timeline:</i> Current project; revised completion date of January 1, 2022</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> All draft proposals will circulate for public comment.</p> <p><i>AC Collaboration:</i> N/A</p>

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#	Ongoing Projects and Activities	
1.	Improve Rules and Forms	<p>Priority 1 See footnote 4</p> <p>Strategic Plan Goals III, IV See footnote 5</p>
<p>Project Summary Working through the Rules Subcommittee, review case law changes that impact appellate courts and appellate procedure and suggestions from committee members, judicial officers, court staff, the bar, and the public concerning appellate rules and forms and appellate administration. Make recommendations to the Judicial Council for necessary changes to appellate rules, standards, and forms (rule 10.21).</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff; potentially others depending on the project</p> <p>Internal/External Stakeholders: Depends on the project</p> <p>AC Collaboration: As appropriate, depending on the project</p>		
2.	Review Pending Legislation	<p>Priority 1 See footnote 4</p> <p>Strategic Plan Goals III, IV See footnote 5</p>
<p>Project Summary Working through the Legislative Subcommittee, review pending legislation affecting appellate procedure and court administration and make recommendations to the Policy Coordination and Liaison Committee as to whether the Judicial Council should support or oppose the legislation (rule 10.34).</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff, Governmental Affairs</p> <p>Internal/External Stakeholders: California Legislature</p> <p>AC Collaboration: N/A</p>		

#	Ongoing Projects and Activities	
3.	Review of Enacted Legislation	Priority 1 See footnote 4
		Strategic Plan Goals III, IV See footnote 5
<p>Project Summary Review all enacted legislation referred to the committee by the Judicial Council’s Governmental Affairs office that may have an impact on appellate procedure and court administration, and, where appropriate, propose to the Judicial Council rules and forms to implement the legislation or to bring rules and forms into conformity with it.</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff, Governmental Affairs</p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: As appropriate, depending on the legislation</p>		
4.	Provide subject matter expertise	Priority 2(b) See footnote 4
		Strategic Plan Goal III See footnote 5
<p>Project Summary Serve as subject matter resource for other advisory groups to avoid duplication of efforts and contribute to the development of recommendations for council action. Such efforts may include providing appellate procedural expertise and review to working groups, advisory committees, and subcommittees as needed.</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: N/A</p>		

# Ongoing Projects and Activities					
	<i>AC Collaboration:</i> As appropriate depending on the project for which advice or consultation was requested.				
5.	<table border="1" style="width: 100%;"> <tr> <td style="width: 80%;"><i>Rules and Forms: Miscellaneous Technical Changes</i></td> <td style="width: 20%;"><i>Priority 2(a) See footnote 4</i></td> </tr> <tr> <td></td> <td><i>Strategic Plan Goal III See footnote 5</i></td> </tr> </table> <p><i>Project Summary</i> Develop rule and form changes as necessary to correct technical errors meeting the criteria of rule 10.22(d)(2): “a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy....”</p> <p><i>Status/Timeline</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> N/A</p> <p><i>AC Collaboration:</i> N/A</p>	<i>Rules and Forms: Miscellaneous Technical Changes</i>	<i>Priority 2(a) See footnote 4</i>		<i>Strategic Plan Goal III See footnote 5</i>
<i>Rules and Forms: Miscellaneous Technical Changes</i>	<i>Priority 2(a) See footnote 4</i>				
	<i>Strategic Plan Goal III See footnote 5</i>				

III. LIST OF 2018-2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Advisement of appellate rights in juvenile cases. Rule changes and a new form to provide parents and guardians who are not present at a juvenile court hearing with information regarding their appellate rights. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
2.	Oral argument in the appellate division. Rule changes and new and revised forms to improve oral argument procedures for courts and litigants. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
3.	Uniform formatting rules for electronic documents. Rule changes to provide guidance on formatting electronic documents for filing in the appellate courts. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
4.	Record on appeal and notice of appeal in civil commitment cases. A new rule to establish the contents of the record on appeal and a new form notice of appeal for this case type. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
5.	Word limits for briefs in petitions for rehearing. Rule amendment to reduce the maximum length of petitions for rehearing and answers thereto in unlimited civil cases. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
6.	Format of motions and applications. New and amended rules to provide guidance on formatting documents for filing in the appellate division. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.
7.	Rules Modernization. Rule change to eliminate an outdated requirement to provide separate service copies of petitions for review that are now automatically provided through e-filing. Approved by the Judicial Council on September 24, 2019; changes take effect January 1, 2020.

Civil and Small Claims Advisory Committee
Annual Agenda¹—2019-2020
Approved by RUPRO:

I. COMMITTEE INFORMATION

Chair:	Hon. Ann I. Jones, Judge, Superior Court of Los Angeles County
Lead Staff:	Anne M. Ronan, Attorney, Legal Services
Committee's Charge/Membership:	
<p>Under rule 10.41 of the California Rules of Court, the Civil and Small Claims Advisory Committee (C&SCAC) is charged with making recommendations to the Judicial Council for improving the administration of justice in civil and small claims proceedings. C&SCAC currently has 27 voting members and 2 advisory members. The attached term of services chart provides the composition of the committee.</p>	
Subcommittees/Working Groups²:	
<ul style="list-style-type: none"> • Alternative Dispute Resolution Subcommittee • Legislative Subcommittee • Protective Orders Subcommittee (also works with the Joint Protective Order Working Group, led by Family & Juvenile Adv. Committee) • Rules and Forms Subcommittee (formerly Small Claims and Limited Case Subcommittee)³ • Policy Recommendations Subcommittee (formerly Unlimited Case and Complex Litigation Subcommittee) • Joint Ad Hoc CEQA Fee Subcommittee • Joint Ad Hoc Video Remote Appearances Subcommittee • <i>Jameson v. Desta</i> Subcommittee (new; to work on proposals arising from the holding in <i>Jameson v. Desta</i>, including consideration of feasibility of proposals to require courts to provide court reporters in all civil hearings in which any party has received a fee waiver). 	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

³ For this year, C&SCAC is continuing with its temporary reorganization of two of its five standing subcommittees, to allow one to continue to focus on the implementation of the Future Commission recommendations, and the other to continue the ongoing work of moving forward with rules, forms, and best practices for small claims, limited, and unlimited civil courts.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ⁴	
1.	Implementation of <u>New Law</u> re Court Reporters	<p><i>Priority 1(b)</i>⁵</p> <p><i>Strategic Plan Goals III and IV</i>⁶</p>
<p>Project Summary:</p> <p>1. <i>Jameson v. Desta</i>: Develop or revise forms to assist indigent parties to request court reporter or electronic recording at civil proceedings under the holding of <i>Jameson v. Desta</i>, and consider input from commenters that further rules or legislation are needed to appropriately implement that decision, including investigating potential costs and feasibility of proposals to provide court reporters or electronic recording for all civil proceedings involving an indigent party.</p> <p>2. Assembly Bill 2664 (2018): This bill amended Government Code section 68086, which mandates that the council adopt rules on court reporting services in civil cases. (See CA Rules of Court, rule 2.956). Assembly Bill 2664 added a new provision to be included in the rules, clarifying that, when court reporters are not available, courts are, upon the request of a party, to appoint a pro tem court reporter to be present in the court, unless there is good cause to refuse the appointment.</p> <p>Status/Timeline: Anticipate having <u>amended rules and</u> new or revised forms ready to circulate in Spring 2020, with a January 2021 effective date; further recommendations will be made as soon as possible, and within next two years.</p> <p>Fiscal Impact/Resources: Committee staff, Center for Families & the Courts (CFCC), IT staff, Governmental Affairs; staff will consult with the court executives through Court Executives Advisory Committee and possibly surveys to gather information from trial courts.</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek public comments from legal service organizations, bar groups, and court executives and presiding judges throughout the state.</p>		

⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives

⁶ Indicate which goal number of The Strategic Plan for California's Judicial Branch the project most closely aligns.

#	New or One-Time Projects⁴	
	<i>AC Collaboration:</i> Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee; Family and Juvenile Advisory Committee and Probate and Mental Health Advisory Committee.	
2.	Video Remote Appearances in Civil Proceedings	<i>Priority 1 (at direction of Chief Justice) See footnote 5</i> <i>Strategic Plan Goals III and IV (See footnote 6)</i>
<p>Project Summary: Work with Information Technology Advisory Committee (ITAC) and other advisory committees to develop legislative and rule proposals to further the recommendations of the Commission on the Future of California’s Court System (Futures Commission) relating to video remote appearances by parties, counsel, and witnesses for most noncriminal court proceedings (pursuant to directive to ITAC from the Chief Justice).</p> <p>Status/Timeline: Anticipate that legislative proposal would go to the council in November 2020, and to Legislature in 2021, with rule proposals to be developed concurrently.</p> <p>Fiscal Impact/Resources: Committee staff, ITAC staff, CFCC, Governmental Affairs</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: potentially Information Technology Advisory Committee, Family and Juvenile Advisory Committee, Probate and Mental Health Advisory Committee</p>		
3.	Gun Violence Restraining Orders	<i>Priority 1(a) See footnote 5</i> <i>Strategic Plan Goal III See footnote 6</i>
<p>Project Summary: Three bills are pending that would amend the statutes relating to gun violence restraining orders (GVRO), and so require revision to GVRO forms if they are enacted. Assembly Bill 12 changes the duration of a GVRO, among other things. Assembly Bill 61 adds two new categories of parties who may seek GVROs, coworkers and employees of a school that the person with the guns recently attended. Assembly Bill 1493 authorizes the respondent to a petition for a GVRO to voluntarily relinquish the right to own or</p>		

#	New or One-Time Projects⁴	
	<p>possess firearms, and become subject to a GVRO, by filing a form with the court. The GVRO forms must be amended to reflect the changes in the statutes. At the same time, the committee will consider expanding the item on the GVRO form EPO-002 that asks for the gender of the restrained party.</p> <p>Status/Timeline: The statutes have September 1, 2020 operative dates. Anticipate that forms will be ready to circulate in Winter cycle with September 1, 2020 effective date.</p> <p>Fiscal Impact/Resources: Committee staff, CFCC, Governmental Affairs</p> <p>Internal/External Stakeholders: Department of Justice. All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: potentially Joint Protective Order Working Group</p>	
4.	Pseudonymous Parties in Civil Cases	<p>Priority 1(a) See footnote 5</p> <p>Strategic Plan Goals III and IV See footnote 6</p>
	<p>Project Summary Assembly Bill 800 allows active participants in the Safe at Home address-confidentiality program to participate in civil proceedings, as plaintiffs or defendants, under a pseudonym and provides other protections when that person is a party to the proceedings. Current forms will be revised or new forms or rules developed as appropriate to implement this bill.</p> <p>Status/Timeline The statute provides until January 2021 for the council to adopt or revise forms as appropriate to implement the statute. However, because the new law will go into effect January 1, 2020, and requires that the party filing under a pseudonym file a “confidential information form” with the court, the committee’s goal is to develop such a form to be circulated in the winter comment cycle with a July 2020 effective date. Any further forms or rules appropriate to implement the new statute will be considered following review of comments received, with the goal of circulating any further forms or rules appropriate in the spring cycle, with a January 2021 effective date.</p> <p>Fiscal Impact/Resources: Committee staff, CFCC, Governmental Affairs</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state. The statute also provides for potential cooperation with Secretary of State, whose office oversees the Safe at Home program</p>	

#	New or One-Time Projects⁴	
	<i>AC Collaboration:</i> Family and Juvenile Advisory Committee; Probate and Mental Health Advisory Committee	
5.	Exemptions to Enforcement of Money Judgments	<i>Priority 1(a)</i> See footnote 5 <i>Strategic Plan Goal III</i> See footnote 6
<p><i>Project Summary</i> Senate Bill 616 expands and revises certain exemptions available to judgement debtors and the process under which they may claim exemptions. Current forms will be revised, or new forms or rules developed as appropriate to implement this bill.</p> <p><i>Status/Timeline</i> The statute has a September 1, 2020 operative date. Anticipate forms will be ready to circulate in Winter Cycle with September 1, 2020 effective date.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, Governmental Affairs</p> <p><i>Internal/External Stakeholders:</i> All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p><i>AC Collaboration:</i> N/A</p>		
6.	Unlawful Detainers: New Legislation	<i>Priority 1(a)</i> See footnote 5 <i>Strategic Plan Goal III</i> See footnote 6
<p><i>Project Summary:</i> Assembly Bill 1482 (<i>Tenant Protection Act of 2019</i>), with certain exceptions, prohibits an owner of residential real property from terminating without just cause the lease of a tenant who has occupied the property for at least 12 months. In addition, Assembly Bill 1188 provides new rights for tenants providing shelter for persons at risk for homeless and adds a number of protections for both the landlord and tenant, including the ability for the tenant to remove the person at risk of homelessness on short notice. Current forms will be revised, or new forms or rules developed as appropriate to implement these bills.</p> <p><i>Status/Timeline:</i> The statute has January 1, 2020 operative date. Current pleading forms can be made to work with the new law, so anticipate revised forms will be ready to circulate in Winter Cycle with September 1, 2020 effective date.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p>		

#	New or One-Time Projects⁴	
	<i>AC Collaboration:</i> N/A	
7.	Protective Orders: Confidential Information Regarding Minors	Priority 1(a) See footnote 5 Strategic Plan Goals III and IV See footnote 6
<p>Project Summary: Assembly Bill 925 expands the circumstances in which it is permissible to disclose a minor’s confidential information relating to certain protective orders. Work with POWG (<i>under lead of Family and Juvenile Law Advisory Committee</i>) to revise forms relating to domestic violence and civil protective orders as appropriate to implement this bill. Some additional revisions to make the forms more user-friendly may be made at the same time.</p> <p>Status/Timeline: The statute has September 1, 2020 operative date. Anticipate forms will be ready to circulate in Winter cycle with September 1, 2020 effective date.</p> <p>Fiscal Impact/Resources: Committee staff, CFCC</p> <p>Internal/External Stakeholders: California Department of Justice. All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: Joint Protective Order Working Group, Family and Juvenile Advisory Committee</p>		
8.	Protective Orders: Elder and Dependent Adults	Priority 1(a) See footnote 5 Strategic Plan Goal III See footnote 6
<p>Project Summary: Assembly Bill 1396 provides that when issuing a protective order after notice and hearing to prohibit certain types of abuse against an elder or dependent adult, the court may also issue an order requiring the restrained party to participate in counseling or anger management courses. The bill provides that the council is to revise or adopt forms to implements this new provision if appropriate.</p> <p>Status/Timeline: The statute provides that the council has until January 1, 2021 to adopt or revise forms. Anticipate forms will be ready to circulate in Spring cycle, with January 2021 effective date.</p> <p>Fiscal Impact/Resources: Committee staff, CFCC</p>		

#	New or One-Time Projects ⁴		
	<p>Internal/External Stakeholders: California Department of Justice. All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: N/A</p>		
9.	<table border="1" data-bbox="1482 370 1978 483"> <tr> <td data-bbox="1482 370 1978 427">Priority 1 See footnote 5</td> </tr> <tr> <td data-bbox="1482 427 1978 483">Strategic Plan Goal III See footnote 6</td> </tr> </table> <p>Project Summary: Work with Protective Orders Working Group (POWG) (under lead of Family and Juvenile Law Advisory Committee) to examine the need for statewide guidance and policies on access to the California Courts Protective Order Registry (CCPOR)</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff, CFCC, IT staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: Joint Protective Order Working Group, Family and Juvenile Advisory Committee, Criminal Law Advisory Committee, Information Technology Advisory Committee</p>	Priority 1 See footnote 5	Strategic Plan Goal III See footnote 6
Priority 1 See footnote 5			
Strategic Plan Goal III See footnote 6			
10.	<table border="1" data-bbox="1482 943 1978 1057"> <tr> <td data-bbox="1482 943 1978 1000">Priority 1(a) See footnote 5</td> </tr> <tr> <td data-bbox="1482 1000 1978 1057">Strategic Plan Goal III See footnote 6</td> </tr> </table> <p>Project Summary Assembly Bills 1826, 734, and 987 add new projects to those for which expedited procedures under Rules of Court, rule 3.2200 et seq. apply in the trial court and in the appellate court for challenges made under CEQA. The pertinent trial court and appellate court rules must be amended as appropriate to include the new projects.</p> <p>Status/Timeline The committee will recommend circulation on a short special cycle and council adoption at a meeting in early 2020, with an immediate effective date.</p> <p>Fiscal Impact/Resources: Committee staff, Governmental Affairs</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p>	Priority 1(a) See footnote 5	Strategic Plan Goal III See footnote 6
Priority 1(a) See footnote 5			
Strategic Plan Goal III See footnote 6			

#	New or One-Time Projects⁴	
	<i>AC Collaboration:</i> Appellate Advisory Committee	
11.	Telephonic Appearance Rule	Priority 1(b) See footnote 5 Strategic Plan Goal III See footnote 6
	<p>Project Summary: Rule 3.670 includes references to a time frame ending at close of business as that term is defined in Rule 2.250(b)(10). Because that definition was deleted from rule 2.250 in recent amendments, rule 3.670 must be amended to define the time frame in some other way.</p> <p>Status/Timeline: Anticipate rule revision will be ready to circulate in Spring cycle, with January 1, 2021 effective date.</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: N/A</p>	
12.	Protective Orders: Redesign of Forms for Self-Represented Litigants	Priority 2b See footnote 5 Strategic Plan Goals III and IV See footnote 6
	<p>Project Summary: Work with Protective Order Working Group (<i>under lead of Family and Juvenile Law Advisory Committee</i>) to revise the protective order forms used in domestic violence and civil cases to ensure they are written in language that is comprehensible to non-attorneys, while maintaining legal accuracy (forms to be consistent across DV and civil restraining order form groups).</p> <p>At the same time, the committee will consider expanding or deleting any items asking for gender on forms CH-100, CH-110, CH-130, EA-100, EA-110, and EA-130. The same considerations will be provided to items on forms GV-100, GV-110, GV-130; SV-100, SV-110, SV-130; and WV-100, WV-110, WV-130 when they are revised the following year.</p> <p>Status/Timeline: Goal is to revise first set of forms (DV, CH, and EA petitions, responses, orders, and information sheets) in the coming year, having them ready to circulate in the Spring cycle with an effective date of January 2021. Revisions to the parallel GV, SV, and WV forms expected to be completed the following year (with goal of effective date of January 2022). Other forms in each set to be revised in the future as time and resources allow.</p>	

#	New or One-Time Projects ⁴	
	<p><i>Fiscal Impact/Resources:</i> Committee staff, CFCC</p> <p><i>Internal/External Stakeholders:</i> California Department of Justice. All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p><i>AC Collaboration:</i> Joint Protective Order Working Group, Family and Juvenile Advisory Committee</p>	
13.	Protective Orders: Continuance of Hearings on Requests to Renew	<p><i>Priority 2 See footnote 5</i></p> <hr/> <p><i>Strategic Plan Goals III and IV</i> <i>See footnote 6</i></p>
	<p><i>Project Summary:</i> Work with Protective Order Working Group (<i>under lead of Family and Juvenile Law Advisory Committee</i>) to revise the forms used in domestic violence and civil cases to request and order continuances of hearings in proceedings to renew or termination of protective orders (the CH-700 form series and the parallel forms in the DV, EA, GV, SV, and WV form series).</p> <p><i>Status/Timeline:</i> Goal is to circulate forms in either Spring 2020 or Spring 2021, as resources permit.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, CFCC</p> <p><i>Internal/External Stakeholders:</i> California Department of Justice. All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p><i>AC Collaboration:</i> Joint Protective Order Working Group, Family and Juvenile Advisory Committee</p>	
14.	Protective Orders: Civil Harassment Forms	<p><i>Priority 2(b) See footnote 5</i></p> <hr/> <p><i>Strategic Plan Goal III and IV</i> <i>See footnote 6</i></p>
	<p><i>Project Summary:</i> Consider proposal made to Judicial Council (by commenter at a council meeting) regarding Civil Harassment (CH) forms, to add an item regarding temporary judges, describe the standard of review for ordering removal of firearms, and address other issues relating to firearms on these forms.</p> <p><i>Status/Timeline:</i> Committee to consider proposal in early 2020. If revisions recommended, it is anticipated the revisions would be included as part of the revisions in format planned to circulate for comment in Spring 2020.</p>	

#	New or One-Time Projects⁴	
	<p><i>Fiscal Impact/Resources:</i> Committee staff.</p> <p><i>Internal/External Stakeholders:</i> Department of Justice. All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p><i>AC Collaboration:</i> N/A</p>	
15.	Retention of Jurisdiction Following Settlement and Dismissal	<p><i>Priority 2(b)</i> See footnote 5</p> <p><i>Strategic Plan Goal III</i> See footnote 6</p>
	<p><i>Project Summary:</i> Consider proposal from judge in Superior Court of Los Angeles to revise <i>Request for Dismissal</i> (form CIV-110) in light of recent decision in <i>Mesa RHF Partners LP v. City of Los Angeles</i>, 33 Cal.App.5th 913 (2019), to add an item to that form for a request that the court retain jurisdiction following stipulated judgment pursuant to Code of Civil Procedure, section 664.6</p> <p><i>Status/Timeline:</i> Anticipate January 1, 2022 if committee decides to proceed.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p><i>AC Collaboration:</i> N/A</p>	
16.	Minor's Compromise forms	<p><i>Priority 2(b)</i> See footnote 5</p> <p><i>Strategic Plan Goal III</i> See footnote 6</p>
	<p><i>Project Summary:</i> Work with Probate and Mental Health Advisory Committee to revise the Judicial Council forms adopted for use in proceedings to approve compromise of a claim on behalf of a minor or person with a disability or withdrawal of funds from a blocked account. The revisions will include consideration of expanding or deleting the question on forms MC-350 and MC-350EX seeking the gender of the minor or dependent claimant.</p> <p><i>Status/Timeline:</i> Anticipate January 1, 2021 effective date.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, CFCC</p>	

#	New or One-Time Projects⁴	
	<p>Internal/External Stakeholders: All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: Probate and Mental Health Advisory Committee</p>	
17.	Revision of Judicial Council Forms with a Gender Identity Question or Term	<p>Priority 2(b) See footnote 5</p> <p>Strategic Plan Goals III and IV See footnote 6</p>
	<p>Project Summary: In addition to the forms specifically identified elsewhere in this Annual Agenda, in which gendered items will be revised along with the other planned revisions, the forms within this committee’s purview that include a gendered term or gender identity question are primarily in the Name Change form set. Most of those forms have already been revised to include “nonbinary” along with male or female as a choice for gender identity. Three forms in that set, NC-110, NC-110G, and NC-510G, will be revised in the future, as revisions to the form set are needed due to legislative changes.</p> <p>One additional form within the committee’s purview, <i>Jury Questionnaire for Civil Cases</i> (form JURY-001), includes a question as to the sex of the children of the potential jury member. That form is used frequently, and can be easily revised if appropriate. There are no translated versions.</p> <p>Status/Timeline: Anticipate spring circulation for comment and January 1, 2021 effective date for any revisions the committee determines appropriate to form JURY-001; expect the NC forms will be changed the following year (when further legislation regarding name and gender changes is expected), with a January 1, 2022 effective date.</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: N/A</p>	

#	Ongoing Projects and Activities	
18.	New Civil Tiers and Streamlined Litigation	<p><i>Priority 1 [at direction of Chief Justice] See footnote 5</i></p> <p><i>Strategic Plan Goal III See footnote 6</i></p>
<p>Project Summary Assess and develop recommendations to further the “civil tiers” proposal in Report of the Commission on Future of California’s Court System (Futures Commission) for:</p> <ul style="list-style-type: none"> • Advancing a legislative proposal for increasing the maximum jurisdictional dollar amounts for limited civil cases to \$50,000 and developing an intermediate civil case tier • Developing streamlined methods for litigating and managing all types of civil cases, including <ul style="list-style-type: none"> ○ Legislative proposal for including unlawful detainer proceedings within the procedures for limited civil cases, including mandatory expedited jury trials ○ Legislative proposal revising discovery statutes to make discovery proportional to amount at issue (based on civil case tiers), require mandatory early disclosures, and limit number of expert witnesses ○ Amended case management rules and statutes, and amended forms to implement same ○ Legislative proposal to allow partial summary judgments in unlimited cases ○ Legislative proposal, rules, and best practices relating to remote access in certain civil proceedings ○ Increased ADR in all case levels, including, potentially, online ADR for small claims cases • Per direction from Chief Justice: Work with various bar groups and legal aid providers to ensure the fairness and equity of any proposals and work with trial court leadership to ensure the courts’ ability to implement such changes. • Also during the 2018-2019 committee year, the committee developed a proposal for amending the current rules on case management conferences, which will go into effect in January 2019, and began consideration of online ADR in small claims court, which project is continuing (see next item). <p>Resources/Partners JCC Staff Resources: Committee staff; Office of Court Research (for assistance court statistics issues); Information Technology Advisory Committee staff; Governmental Affairs staff</p> <p>Status/Timeline Project underway.</p> <ul style="list-style-type: none"> • During the 2017-2018 committee year, the committee developed legislative proposals concerning limited civil case jurisdiction and unlawful detainers (which was circulated for public comment in Spring 2018) and concerning changes to civil discovery based on new civil tiers (which was circulated in fall 2018). During the 2018-2019 year, following review of the comments received on the proposals, the committee concluded that, in light of the strong opposition from bar and legal service organizations, the committee decided not to continue with those proposals at this time. 		

#	Ongoing Projects and Activities	
	<ul style="list-style-type: none"> The committee began working on alternative ways to further the recommendations, and has now focused on the concept of a pilot project, based on voluntary participation of the parties, which is one of the projects the committee intends to work on in the 2019-2020 committee year. Also during the 2018-2019 committee year, the committee developed a proposal for amending the current rules on case management conferences, which will go into effect in January 2019, and began consideration of online ADR in small claims court, which project is continuing (see next item). <p>Fiscal Impact/Resources: Committee staff; Office of Court Research (for assistance court statistics issues); Information Technology Advisory Committee staff; Governmental Affairs</p> <p>Internal/External Stakeholders: Stakeholders, including Trial Court Presiding Judges Advisory Committee; Court Executives Advisory Committee, plaintiff and defense bar, insurance industry representatives, in-house counsel and business groups, and legal aid organizations; organizations using online ADR; National Center for State Courts staff. All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p> <p>AC Collaboration: Information Technology Advisory Committee, Committee on Providing Access and Fairness</p>	
19.	Online ADR in Small Claims Courts	<p>Priority 1 [at direction of Chief Justice] See footnote 5</p> <p>Strategic Plan Goals III and IV See footnote 6</p>
	<p>Project Summary In light of the recommendation in the report of the Futures Commission section on streamlining civil litigation, review and evaluate current programs using online ADR programs in small claims court. Originally intended to be done in conjunction with ITAC workstream, which is currently deferred.</p> <p>Status/Timeline ongoing</p> <p>Fiscal Impact/Resources: Committee staff; ITAC staff; Leadership Support Services staff.</p> <p>Internal/External Stakeholders: All draft proposals will circulate to seek comments from legal services groups, bar organizations, and court executives and presiding judges throughout the state.</p>	

#	Ongoing Projects and Activities	
	<i>AC Collaboration:</i> Information Technology Advisory Committee	
20.	Civil Subject Matter Resource for Futures Commission Recommendations	<p>Priority 1 See footnote 5 [at direction of Chief Justice]</p> <p>Strategic Plan Goal III See footnote 6</p>
<p>Project Summary Provide consultation and review of civil and small claims procedural matters as requested, to other advisory committees working on implementation of recommendations of the Futures Committee, per direction of Chief Justice in May 2017 letter. The committee will undertake tasks as requested.</p> <p>Status/Timeline as needed</p> <p>Fiscal Impact/Resources: Committee staff.</p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: Traffic Futures Working Group; Information Technology Advisory Committee, Advisory Committee on Providing Access and Fairness</p>		
21.	Review Suggestions	<p>Priority 1 See footnote 5</p> <p>Strategic Plan Goal III and IV See footnote 6</p>
<p>Project Summary As mandated by rule 10.21(c), review suggestions from members of the judicial branch and the public for improving civil practice and procedure, court-connected ADR, and case management and recommend actions by the council or one of its committees.</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: as appropriate based on proposal received.</p>		

# Ongoing Projects and Activities	
22.	Review of Pending Legislation
	<p>Priority 1 See footnote 5</p> <p>Strategic Plan Goals II and III See footnote 6</p>
<p>Project Summary Review pending legislation on civil procedure and court administration and make recommendations to the council's Policy Coordination and Liaison Committee, as required by Rule 10.34(a)(3)</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff, Governmental Affairs</p> <p>Internal/External Stakeholders: Legislature</p> <p>AC Collaboration: N/A</p>	
23.	Review of Enacted Legislation
	<p>Priority 1 See footnote 5</p> <p>Strategic Plan Goals II and III See footnote 6</p>
<p>Project Summary Review all enacted legislation referred to the committee by the Judicial Council's Governmental Affairs office that may have an impact on issues within the advisory committee's purview and, where appropriate, propose to the council rules and forms to implement the legislation or to bring rules and forms into conformity with it.</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff; Governmental Affairs</p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: as appropriate for specific legislation.</p>	

24.	Provide Subject Matter Expertise	Priority 1 See footnote 5
		Strategic Plan Goal III See footnote 6
<p>Project Summary Serve as subject matter resource for other advisory groups to avoid duplication of efforts and contribute to the development of recommendations for council action. Such efforts may include providing civil and small claims procedural expertise and review to working groups, advisory committees, and subcommittees as needed</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: as appropriate for project on which advice or consultation requested.</p>		
25.	Update Deskbook on the Management of Complex Civil Litigation	Priority 2 See footnote 5
		Strategic Plan Goal III See footnote 6
<p>Project Summary Implementation project; charge for work was made to CSCAC by the council at October 22, 1999 meeting in which the council received the report of the Complex Civil Litigation Task Force and voted to adopt the Task Force’s recommendations (see authorization attached; item 3 from the minutes of Judicial Council meeting in October 1999, beginning at page 17).</p> <p>Status/Timeline Ongoing; no substantial revisions expected this coming year.</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: N/A</p>		

26.	Rules Modernization Project	Priority 2(a) See footnote 5
		Strategic Plan Goal III See footnote 6
<p>Project Summary Assist Information Technology Advisory Committee (ITAC) in its Rules Modernization Project, a collaborative multi-year effort to comprehensively review and modernize statutes and rules so that they will be consistent with and foster modern e-business practices.</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff; IT staff</p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: Information Technology Advisory Committee</p>		
27.	Rules and Forms: Miscellaneous Technical Changes	Priority 2(a) see footnote 5
		Strategic Plan Goal III See footnote 6
<p>Project Summary: Develop rule and form changes as necessary to correct technical errors meeting the criteria of rule 10.22(d)(2); “a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy....”.</p> <p>Status/Timeline Ongoing</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: N/A</p> <p>AC Collaboration: N/A</p>		

III. LIST OF 2018-2019 PROJECT ACCOMPLISHMENTS

Highlights and achievements of projects that were included in the 2017 Annual Agenda

#	Project Highlights and Achievements
1.	<i>Name Change and Gender Change Forms.</i> Revised and developed forms to reflect recently enacted legislative amendments that (1) added new requirements for issuance and service of orders to show cause, and judicial findings, in certain name change and gender change proceedings initiated by parents or guardians, (2) added a new category of petitioners (those seeking to avoid human trafficking) to those who may seek confidential name changes. (Adopted forms NC-510G and NC-530G; revised forms NC-100-INFO, NC-121, NC-125/NC-225, NC-400, NC-400 INFO, NC-420, NC-500, NC-500-INFO, and NC-520, effective January 1, 2019 (adopted prior to circulation for comment).)
2.	<i>Fee Waiver re Court Reporters and Interpreters</i> Amended rules and forms to reflect holding in <i>Jameson v. Desta</i> that court reporter must be made available in civil action when party has a fee waiver. The rules had previously provided court discretion in this area; now mandatory. Also clarifies that having a fee waiver is not relevant to the provision of a court interpreter. <i>Interpreters</i> (Amended Cal. Rules of Court, rules 2.956 and 3.55 and revise many fee waiver forms effective September 1, 2019) Committee will continue to consider this topic in the coming rule cycle, as directed by the council.
3.	<i>Unlawful Detainer.</i> Revised the UD answer form to add a new affirmative defense and revised the UD Summons to reflect new law that holidays and weekends not counted in the 5 days to answer form and. (Revised forms UD-105 and SUM-130 effective September 1, 2019).
4.	<i>Order on Unlawful Use of Personal Identifying Information.</i> Created a new form for courts to use in issuing an order certifying that an individual’s personal identifying information was used unlawfully in a business entity filing. Mandatory form, per statute. (Adopted form CIV-165, effective September 1, 2019.)
5.	<i>GVRO Forms to Facilitate SB 1200.</i> Revised current forms and developed new ones to facilitate court’s implementation of amendments to the GVRO statutes requiring court to set hearing within 21 days of issuance of Emergency Protective Order. (Revised forms EPO-002, GV-800, and GV-800 INFO, and adopt forms GV-009, GV-020, GV-020-INFO, and GV-030 effective September 2019)
6.	<i>Case Management Rules.</i> Made the “emergency” exceptions to the CMC rules permanent, implementing recommendation of the Futures Commission, to provide courts the flexibility to exclude case types from CMC hearings. (Amended rule 3.720(b), effective January 1, 2020.)
7.	<i>Mediation Confidentiality Disclosures Under SB 954.</i> Developed a new form that meets the requirements of the disclosure that attorneys are now required to give all clients prior to mediation. (Approved form ADR-200, effective January 1, 2020).
8.	<i>Separate Statements for Discovery Motions</i> Amended a rule to implement a new law that permits judicial officers to waive the requirement of a separate statement in discovery motions and instead request a brief outline of the discovery in dispute. (Amended rule 3.1345 effective January 1, 2020.)

#	Project Highlights and Achievements
9.	<i>Information about Court Interpreters on Small Claims Forms</i> The information about court interpreters on the small claims forms was revised to comply with the recent legislation that eliminated the special provisions allowing parties to regularly use friends and family for interpreting in small claims hearings. (Revised forms SC-100 and SC-100 INFO, effective January 1, 2020.)
10.	<i>Protective Orders: Revisions to Continuance Forms</i> [joint recommendation with Family and Juvenile Advisory Committee] Revised forms requesting and ordering continuances of hearings following TROs to (1) clarify for the parties and law enforcement what service is required, (2) reorganize the information to make the forms easier for self-represented parties to follow, and (3) make it easier for courts to continue hearings after Gun Violence EPOs when appropriate. (Revised 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 effective January 1, 2020).
11.	<i>Protective Orders: New INFO Form on Protecting Minor's Information</i> [joint with Family and Juvenile Advisory Committee] (approve forms CH-160-INFO and DV-160-INFO) Developed an information sheet to help parties better understand the process put into place in 2019 authorizing courts to keep confidential certain information about minors included on petitions for TROs and protective orders.
12.	<i>Judicial Council Sponsored Legislation: Temporary Emergency Gun Violence Restraining Orders.</i> Proposed amendments to the GVRO statutes, providing that law enforcement, after serving a Gun Violence Emergency Protective Order, must file a copy with the court within 3 court days. This is an effort to ensure the court has sufficient time to set and notice the hearing that must be held with 21 days after the EPO is issued. (Proposed legislation going to the council in November 2019.)

Attachment

Minutes of Judicial Council meeting in October 1999, item 3 (authorization for implementation item, no. 25)

Council action:

The Judicial Council, effective January 1, 2000, adopted new Form TR-100, *Notice of Correction and Proof of Service*, for mandatory use to correct clerical errors on *Notices to Appear*.

Item 2 Adoption of Long-Range Plan for Judicial Branch Education

The Center for Judicial Education and Research (CJER) Governing Committee recommended adopting its long-range plan for developing educational programs, publications, and other services. Under rule 6.50, the rule of court governing the committee, CJER is required to present such a plan based on its assessment of the needs of judicial officers and court staff.

Council action:

The Judicial Council adopted the long-range plan for judicial branch education as presented.

The motion passed.

Item 3 Final Report of the Complex Civil Litigation Task Force: (a) Deskbook on the Management of Complex Civil Litigation; (b) Complex Civil Case Management Judicial Education Curriculum; (c) Complex Civil Case Rules and Civil Case Cover Sheet; (d) Electronic Filing Rule; (e) Conforming Amendments to Statutes, California Rules of Court, and Standards of Judicial Administration; and (f) Recommendation on Appropriate Judicial Council Oversight Committee (adopt rules 1800, 1810, 1811, 1812, and 1830; amend rules 212, 982.2, 1501.1, 2101, and 2105 of the California Rules of Court; amend § 19, California Standards of Jud. Admin.; and revise Form 982.2(b)(1))

Justice Richard D. Aldrich, Chair of the Complex Civil Litigation Task Force, presented the report, assisted by Professor Clark Kelso, task force reporter, and Ms. Cara Vonk, task force counsel. Justice Aldrich stated that a Business Court Task Force was appointed in 1996 to study the merits of implementing a special trial court for business and commercial disputes. That task force ultimately recommended against establishing a special business court and instead proposed that a task force study establishing a complex civil litigation specialization in courts.

Justice Aldrich noted that the Complex Civil Litigation Task Force was appointed and charged with developing recommendations for a deskbook, education, legislation, rules of court, a pilot program, and an oversight committee on complex civil litigation.

Professor Kelso reviewed the task force's recommendations for changes to rules of court. He stated that the overall goals of the proposed amendments were early judicial involvement, active judicial management, and identification of complex cases. Professor Kelso highlighted several of the recommendations, including a new rule that would define a complex case and rule changes that prescribe assigning a complex case to one judge for all purposes, provide guidelines for electronic filings for complex cases, and require early case management conferences.

Ms. Vonk reported that funding for proposed pilot programs was allocated from the Judicial Administration Efficiency and Modernization Fund. She noted that a report would be drafted in the next few months summarizing the effectiveness of the pilot programs and outlining training needs for judges and staff.

Justice Aldrich reported that the task force report was circulated widely for comment. The response was generally positive. He noted that the work of the task force and, in particular, the deskbook will be shared at a national conference and serve as a model for other states.

Council action:

Judge Paul Boland moved that the Judicial Council:

1. Receive the *Deskbook on the Management of Complex Civil Litigation*, which will be published by the Administrative Office of the Courts and distributed to all judges in the state;
2. Receive the specialized judicial education curriculum, *Complex Civil Case Management*, with suggested policies for faculty, attendees, and course prerequisites developed by the Complex Civil Litigation Task Force that will be forwarded to the Center for Judicial Education and Research (CJER) Governing Committee;
3. Refer to the Center for Judicial Education and Research (CJER) Governing Committee the task force recommendation that sections 25.2 and 25.3 of the Standards of Judicial Administration be amended to add a "complex civil cases" educational curriculum for judicial officers assigned to hear complex cases;
4. Amend rule 212 of the California Rules of Court, effective January 1, 2000, to conform the 30-day meet-and-confer requirement to the order of the court in a complex case;
5. Amend rule 982.2 and revise the *Civil Case Cover Sheet* (Form 982.2(b)(1)), effective January 1, 2000, to implement rules 1810 through 1812 providing for an early provisional complex case designation, counterdesignation or joinder, and decision by the court whether the action is a complex case;
6. Adopt rules 1800 through 1812 of the California Rules of Court, effective January 1, 2000, to define, provisionally designate, and decide whether an action is a complex case requiring "exceptional judicial management to avoid placing unnecessary

- burdens on the court or the litigants and to expedite the case, keep costs reasonable, and promote effective decision making by the court, the parties, and counsel”;
7. Adopt rule 1830 of the California Rules of Court, effective January 1, 2000, to provide that documents filed electronically in a central depository and available to all parties are deemed served on all parties if ordered by the court in a complex civil case management order;
 8. Amend rules 1501.1, 2102, and 2105 of the California Rules of Court, effective January 1, 2000, to make technical and conforming amendments to the coordination and differential case management rules;
 9. Amend section 19 of the Standards of Judicial Administration, effective January 1, 2000, to delete the complex “hearing” and “definition” provisions that are superseded by rules 1800 and 1812, amend the “selection of judges for complex litigation assignments” to provide that the presiding judge in selecting judges for complex litigation assignments should consider “the needs of the court, the judge’s ability, interest, training, experience (including experience with complex civil cases), and willingness to participate in educational programs related to the management of complex cases,” and to make other conforming amendments;
 10. Seek conforming legislation to delete references in Code of Civil Procedure sections 403 and 404 to section 19 of the Standards of Judicial Administration on complex coordinated cases to read “complex as defined by the Judicial Council”;
 11. Charge the Civil and Small Claims Advisory Committee with ongoing responsibility for:
 - a. Recommending to the Judicial Council improvements to complex civil litigation programs in California, based on an ongoing review of the programs’ effectiveness and best practices, including the complex litigation pilot programs beginning in January 2000,
 - b. Updating the *Deskbook on the Management of Complex Civil Litigation*,
 - c. Making recommendations to the council on ways to improve efficient and fair practices for coordinating complex civil cases pending in different counties, including possible review of petitions for coordination by a panel of judges and transfer of cases to counties with complex civil litigation centers, and
 - d. Recruiting experienced complex civil litigation members to take the place of outgoing members for nomination and consideration for appointment by the Chief Justice; and
 12. Request that the Administrative Director of the Courts report on the new complex litigation pilot programs as required by Government Code section 68617, including an evaluation of the program’s practices, and to submit the report to the Civil and Small Claims Advisory Committee for review and comment.

The motion passed.



JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date July 29, 2019	Action Requested Information only.
To Hon. Harry E. Hull, Jr., Chair Rules and Projects Committee	Deadline N/A
From Hon. Tricia A. Bigelow, Chair Hon. J. Richard Couzens, Vice Chair Criminal Law Advisory Committee	Contact Sarah Fleischer-Ihn, 415-865-7702 Sarah.Fleischer-Ihn@jud.ca.gov
Subject 2020 Criminal Law Advisory Committee Annual Agenda	

This memo includes: 1) an update on the Criminal Law Advisory Committee's (CLAC) work on the 2019 annual agenda items; 2) potential committee proposals for 2020; 3) additional committee priorities; and 4) Judicial Council staff resource needs.

Work Completed on the 2019 CLAC annual agenda

1. ***Implementation of SB 10, pretrial release or detention: pretrial services:*** The committee circulated for public comment a rules proposal to set forth the proper use of pretrial risk assessment information and review and release standards for Pretrial Assessment Services for persons assessed as medium risk. These proposed rules were intended to fulfill the Judicial Council's obligation under Penal Code section 1320.24(a) to adopt rules and forms to implement specific elements of SB 10. Due to Referendum 1856 (18-0009), *Referendum to Overturn a 2018 Law That Replaced Money Bail System with a System Based on Public Safety Risk*, SB 10 is stayed and the Judicial Council has suspended implementation of the legislation, including adoption of rules of court.

2. ***Amend California Rules of Court, rule 4.452, determinate sentence consecutive to prior determinate sentence, to incorporate legislative changes made by SB 670:*** At its March 2019 meeting, the Judicial Council approved amendments to California Rules of Court, rule 4.452, to implement SB 670 (Jackson; Stats. 2017, ch. 287), which amended Penal Code section 1170(h), requiring courts to determine the county or counties of incarceration and supervision for defendants when imposing judgments concurrent or consecutive to another judgment or judgments previously imposed under section 1170(h) in another county or counties.
3. ***Amend immigration consequences language on plea forms:*** It is anticipated that at its September 2019 meeting, the Judicial Council will approve revisions to the immigration consequences language of the two Judicial Council plea forms, *Plea Form, With Explanations and Waiver of Rights—Felony* (form CR-101) and *Domestic Violence Plea Form With Waiver of Rights* (form CR-102), to conform to Penal Code section 1016.5.
4. ***Technical changes to forms:*** At its January 2019 meeting, the Judicial Council approved technical amendments to two rules of court and four criminal forms to correct changes resulting from legislation and previous rule amendments and form revisions.
5. ***Approve new proof of service form:*** It is anticipated that at its September 2019 meeting, the Judicial Council will approve a new optional form, *Proof of Service (Criminal Record Clearing)* (form CR-106) and an accompanying information sheet. The proof of service form is intended for use with requests for a court to review a criminal record for dismissal, vacatur, resentencing, reduction, sealing, or other record clearing remedies.
6. ***Amend California Rules of Court, rule 4.130, mental competency proceedings, to incorporate legislative changes made by AB 1810:*** It is anticipated that at its September 2019 meeting, the Judicial Council will approve amendments to California Rules of Court, rule 4.130, to implement AB 1810, which significantly altered the statutory landscape for mental competency proceedings.
7. ***Implementation of Penal Code section 236.14, vacatur relief for human trafficking victims:*** It is anticipated that at its September 2019 meeting, the Judicial Council will approve adding standard 4.15 to the California Standards of Judicial Administration to provide guidance to judges and court administrators on procedures to implement vacatur relief under Penal Code section 236.14. Penal Code section 236.14 provides for a petition process to vacate an arrest or conviction for a nonviolent offense that occurred while the petitioner was a victim of human trafficking.
8. ***Amend interpreter’s statement on forms:*** It is anticipated that at its September 2019 meeting, the Judicial Council will approve revisions to the interpreter’s statement on four Judicial Council criminal forms, to more accurately describe the role and responsibilities of interpreters.
9. ***Form proposal to implement recently enacted legislation (AB 865):*** It is anticipated that at its September 2019 meeting, the Judicial Council will approve optional form *Petition for Resentencing Based on Health Conditions from Military Service Listed in Penal Code Section 1170.91* (form CR-412/MIL-412), to implement legislation allowing veterans to

benefit retroactively from the passage of Penal Code section 1170.91, which permits a judge to consider enumerated health conditions that have resulted from military service as a mitigating factor at sentencing.

10. ***Form proposal to implement recently enacted legislation (AB 2867):*** It is anticipated that at its September 2019 meeting, the Judicial Council will approve revisions to *Motion to Vacate Conviction or Sentence* (CR-187) and its accompanying order (CR-188), in response to legislation that clarified the timing and procedural requirements of Penal Code section 1473.7, which allows vacatur of a conviction or sentence based on prejudicial error related to immigration consequences or newly discovered evidence of actual innocence.
11. ***Pending criminal legislation:*** The committee provided subject matter expertise on numerous pending criminal law bills, and reviewed and recommended positions on numerous pending criminal law bills.

Potential Activities for 2020

The committee is considering the following proposals for 2020:

1. ***Develop new forms to implement SB 384 (Stats. 2017, ch. 541).*** SB 384 created a tiered system for sex offender registration and a process for registrants to petition a court to terminate a sex offender registration requirement. The petition process goes into effect July 1, 2021.
2. ***Amend Cal. Rules of Court, rule 4.452, Intercounty transfer of probation and mandatory supervision cases.*** A court executive officer recommends amending rule 4.452 to require a receiving court to notify a transferring court if the transferred case's disposition changes, e.g., reduced to misdemeanor, dismissed. The committee began to develop this proposal in 2019 and is awaiting how pending "auto-expungement" legislation may affect the proposal.
3. ***Amend Cal. Rules of Court, rule 4.452, multicounty incarceration and supervision.*** The Council approved amendments to rule 4.452, effective July 1, 2019, to implement SB 670 (Jackson; Stats. 2017, ch. 287). SB 670 amended Penal Code section 1170(h), requiring courts to determine the county or counties of incarceration and supervision for defendants when imposing judgments concurrent or consecutive to another judgment or judgments previously imposed under section 1170(h) in another county or counties. SB 670 also amended section 1170.3, requiring the Judicial Council to adopt rules of court providing criteria for the consideration of trial judges at the time of sentencing when determining the county or counties of incarceration and supervision. A prosecutor from San Diego County recommends clarification around how the rule applies in cases where the judge in a subsequent case imposes a state prison sentence, the definition of "actual custody time" in the rule, and whether a subsequent judge can modify the split sentence from a prior case.

4. ***User-centered revisions to criminal forms.*** The committee will consider reviewing criminal forms to determine whether user-centered revisions are appropriate, such as converting a form into “plain language,” developing accompanying information sheets, or translating a form to other languages.
5. ***Technical changes.*** The committee may propose rule and form changes as necessary to correct technical errors meeting the criteria of rule 10.22(d)(2); “a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy....”.
6. ***Record retention of search warrants.*** The committee may develop a legislative proposal on record retention of search warrants without an underlying criminal case.
7. ***Updating ignition interlock forms.*** The committee may recommend updates to existing ignition interlock forms to implement statutory changes since the forms were last revised in 2000, 2005, and 2008.
8. ***Review recently enacted legislation that may have an impact on criminal court administration.*** This includes the following pending bills:
 - AB 927, Crimes: fines and fees: defendant’s ability to pay
 - AB 1076, Criminal records: automatic relief
 - AB 1331, Criminal justice data
 - AB 1423, Transfers to juvenile court
 - SB 36, Pretrial release: risk assessment tools
 - SB 557, Criminal proceedings: mental competence: expert reports
9. ***Review pending legislation.*** The committee will review pending criminal law legislation and make recommendations as to whether the Judicial Council should support or oppose the legislation. The committee will provide subject matter expertise on pending criminal law legislation.
10. ***Criminal justice and mental health.*** The committee will review pending legislation related to criminal justice and mental health, and make recommendations as to whether the Judicial Council should support or oppose the legislation. The committee will provide subject matter expertise on pending criminal justice and mental health legislation and related issues. The committee will propose rules and forms to assist courts with mental health issues arising in criminal cases.
11. ***Provide subject matter expertise for other advisory committees.*** The committee will provide subject matter expertise for other advisory committees working on proposals involving criminal law and procedure.

Additional Priorities for 2020

The committee will be undergoing a significant leadership transition in the upcoming year. Justice Bigelow, who has chaired the committee since 2012, will be stepping down as chair in fall 2019. Judge Couzens anticipates working on leadership development of current and newly appointed committee members.

July 29, 2019

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Judicial Council Staff Resource Needs

The committee does not anticipate pressing resource needs.

Criminal Law Advisory Committee
Annual Agenda¹—2020
Approved by RUPRO: Pending

I. COMMITTEE INFORMATION

Chair:	Hon. Richard Couzens (Ret.), Chair; Hon. Brian M. Hoffstadt, Vice Chair
Lead Staff:	Sarah Fleischer-Ihn, Attorney, Criminal Justice Services Office
Committee's Charge/Membership: Rule 10.42(a) of the California Rules of Court states the charge of the Criminal Law Advisory Committee, which is to make recommendations to the Judicial Council for improving the administration of justice in criminal proceedings. The Criminal Law Advisory Committee currently has 21 voting members. The attached term of services chart provides the composition of the committee.	
Subcommittees/Working Groups²: 1. Protective Orders Working Group (POWG)	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³	
1.	<i>Implementation of SB 384 (Stats. 2017, ch. 541), Sex offenders: registration: criminal offender record information systems</i>	<i>Priority 1, 1(b)⁴</i>
<p><i>Project Summary:</i> Develop forms to implement SB 384, which, in relevant part, establishes three tiers of sex offender registration based on specified criteria and a petition process to request termination from the registry upon completion of a mandated minimum registration period under specified conditions. The petition process goes into effect on July 1, 2021 and it is intended for the forms to go into effect at that time, though they will be presented to the Judicial Council at its September 2020 meeting. Assist criminal courts with any required implementation.</p> <p><i>Status/Timeline:</i> Anticipated effective date of July 1, 2021 for forms</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> California Department of Justice</p> <p><i>AC Collaboration:</i> Family and Juvenile Law Advisory Committee</p>		
2.	<i>Amend California Rules of Court, rule 4.452, determinate sentence consecutive to prior determinate sentence, to incorporate legislative changes made by SB 670</i>	<i>Priority 1(a) See footnote 4</i>
<p><i>Project Summary:</i> Amend California Rules of Court, rule 4.452, to further clarify procedures related to multicounty incarceration and supervision under Penal Code section 1170(h).</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021</p>		

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	New or One-Time Projects³	
	<p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	
3.	<p><i>Amend Cal. Rules of Court, rule 4.530, Intercounty transfer of probation and mandatory supervision</i></p>	<p><i>Priority 1(e) See footnote 4</i></p>
	<p><i>Project Summary:</i> Consider rule changes to require a receiving court to notify a transferring court if the transferred case’s disposition changes, e.g., reduced to a misdemeanor or dismissed.</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	
4.	<p><i>Retention of search warrants</i></p>	<p><i>Priority 2(b) See footnote 4</i></p>
	<p><i>Project Summary:</i> Consider development of a legislative proposal to address procedural issues related to record retention of search warrants without an underlying criminal case.</p> <p><i>Status/Timeline:</i> Introduction of legislation in 2021 for possible sponsored legislation</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Court Executives Advisory Committee, Records Subcommittee</p>	

#	New or One-Time Projects³	
5.	<i>Ignition Interlock forms</i>	<i>Priority 1(b) See footnote 4</i>
<p><i>Project Summary:</i> Review and update the Judicial Council’s ignition interlock forms.</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>		
6.	<i>Implementation of Penal Code section 236.14, vacatur relief for human trafficking victims</i>	<i>Priority 2(a) See footnote 4</i>
<p><i>Project Summary:</i> Consider further standards to implement Penal Code section 236.14, vacatur relief for human trafficking victims.</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>		
7.	<i>Revising criminal forms with a gender identity question or term</i>	<i>Priority 2(b) See footnote 4</i>
<p><i>Project Summary:</i> Revise the following seven criminal forms to replace gender identity questions or terms with a gender neutral option or term:</p>		

#	New or One-Time Projects ³
	<p>1. <i>Instructions: Defendant’s Statement of Assets</i>, # AA a. Frequency of form use: unknown, but it is not frequently downloaded</p> <p>2. <i>Order for Income Deduction</i>, CR-119, #1 a. Frequency of form use: moderately downloaded</p> <p>3. <i>Certificate of Identity Theft</i>, CR-150, #1 a. Frequency of form use: unknown, but is not frequently downloaded</p> <p>4. <i>Order for Dismissal (Military Personnel)</i>, CR-184, #10 a. Frequency of form use: unknown, but it is not frequently downloaded</p> <p>5. <i>Form Interrogatories – Crime Victim Restitution</i>, CR-200, Section 5, #2.7 a. Frequency of form use: unknown, but it is not frequently downloaded</p> <p>6. <i>Petition/Application (Health and Safety Code § 11368.18)</i>, CR-400, #4 a. Frequency of form use: Frequently downloaded</p> <p>7. <i>Petition/Application for Resentencing and Dismissal of Pen. Code § 647f Conviction</i>, CR-404 a. Frequency of form use: Rarely used; only affects a very small number of people statewide</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021</p> <p>Fiscal Impact/Resources: Costs are expected to be minimal</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None</p>

#	Ongoing Projects and Activities	
1.	<i>Review recently enacted legislation</i>	<i>Priority 1 See footnote 4</i>
<p><i>Project Summary:</i> Review enacted legislation that may have an impact on criminal court administration and propose rules and forms as may be appropriate for implementation of the legislation.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, Office of Governmental Affairs</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>		
2.	<i>Review pending legislation</i>	<i>Priority 1 See footnote 4</i>
<p><i>Project Summary:</i> Review pending criminal law legislation and make recommendations as to whether the Judicial Council should support or oppose the legislation. Provide subject matter expertise on pending criminal law legislation.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, Office of Governmental Affairs</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>		
3.	<i>Criminal justice and mental health</i>	<i>Priority 1 See footnote 4</i>
<p><i>Project Summary:</i> Review pending legislation related to criminal justice and mental health, and make recommendations as to whether the Judicial Council should support or oppose the legislation. Provide subject matter expertise on pending criminal justice</p>		

#	Ongoing Projects and Activities	
	<p>and mental health legislation and related issues. Propose rules and forms to assist courts with mental health issues arising in criminal cases.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Collaborative Justice Courts Advisory Committee</p>	
4.	<p>Technical changes to rules and forms</p>	<p>Priority 1(a) See footnote 4</p>
5.	<p>Project Summary: Develop rule and form changes as necessary to correct technical errors meeting the criteria of rule 10.22(d)(2); “a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy....”.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None.</p>	
	<p>User-centered revisions to forms</p>	<p>Priority 2(b) See footnote 4</p>
	<p>Project Summary: Review criminal forms to determine whether user-centered revisions are appropriate, such as converting a form into “plain language,” developing accompanying information sheets, or translating a form to additional languages.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021</p>	

#	Ongoing Projects and Activities	
	<p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Advisory Committee on Providing Access and Fairness</p>	
6.	<i>Working Group Participation</i>	<i>Priority 2</i> See footnote 4
	<p><i>Project Summary:</i> Continue participation in the Protective Orders Working Group, which assists in ensuring consistency and uniformity in the different protective orders used in family, juvenile, civil, criminal, and probate proceedings, and helps to develop and update protective order forms and rules of court.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Rules and Projects Committee, Family and Juvenile Law Advisory Committee, Civil and Small Claims Advisory Committee, Probate and Mental Health Advisory Committee, Information Technology Advisory Committee</p>	
7.	<i>Provide subject matter expertise for other advisory groups</i>	<i>Priority 2</i> See footnote 4
	<p><i>Project Summary:</i> Provide subject matter expertise and resources on criminal law to other advisory committees, working groups, and subcommittees as requested.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> None</p> <p><i>Internal/External Stakeholders:</i> None</p>	

#	Ongoing Projects and Activities
	<i>AC Collaboration:</i> Judicial Council advisory committees and working groups

III. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<i>Implementation of SB 10, pretrial release or detention: pretrial services:</i> The committee developed for circulation for public comment a rules proposal to set forth the proper use of pretrial risk assessment information and review and release standards for Pretrial Assessment Services for persons assessed as medium risk. These proposed rules were intended to fulfill the Judicial Council’s obligation under Penal Code section 1320.24(a) to adopt rules and forms to implement specific elements of SB 10. Due to Referendum 1856 (18-0009), <i>Referendum to Overturn a 2018 Law That Replaced Money Bail System with a System Based on Public Safety Risk</i> , SB 10 is stayed and the Judicial Council has suspended implementation of the legislation, including adoption of rules of court.
2.	<i>Amend California Rules of Court, rule 4.452, determinate sentence consecutive to prior determinate sentence, to incorporate legislative changes made by SB 670:</i> At its March 2019 meeting, the Judicial Council approved amendments to California Rules of Court, rule 4.452, to implement SB 670 (Jackson; Stats. 2017, ch. 287), which amended Penal Code section 1170(h), requiring courts to determine the county or counties of incarceration and supervision for defendants when imposing judgments concurrent or consecutive to another judgment or judgments previously imposed under section 1170(h) in another county or counties.
3.	<i>Amend immigration consequences language on plea forms:</i> At its September 2019 meeting, the Judicial Council approved revisions to the immigration consequences language of the two Judicial Council plea forms, <i>Plea Form, With Explanations and Waiver of Rights—Felony</i> (form CR-101) and <i>Domestic Violence Plea Form With Waiver of Rights</i> (form CR-102), to conform to Penal Code section 1016.5.
4.	<i>Technical changes to forms:</i> At its January 2019 meeting, the Judicial Council approved technical amendments to two rules of court and four criminal forms to correct changes resulting from legislation and previous rule amendments and form revisions.
5.	<i>Approve new proof of service form:</i> At its September 2019 meeting, the Judicial Council approved a new optional form, <i>Proof of Service (Criminal Record Clearing)</i> (form CR-106) and an accompanying information sheet. The proof of service form is intended for use with requests for a court to review a criminal record for dismissal, vacatur, resentencing, reduction, sealing, or other record clearing remedies.

#	Project Highlights and Achievements
6.	<i>Amend California Rules of Court, rule 4.130, mental competency proceedings, to incorporate legislative changes made by AB 1810:</i> At its September 2019 meeting, the Judicial Council approved amendments to California Rules of Court, rule 4.130, to implement AB 1810, which significantly altered the statutory landscape for mental competency proceedings.
7.	<i>Implementation of Penal Code section 236.14, vacatur relief for human trafficking victims:</i> At its September 2019 meeting, the Judicial Council approved adding standard 4.15 to the California Standards of Judicial Administration to provide guidance to judges and court administrators on procedures to implement vacatur relief under Penal Code section 236.14. Penal Code section 236.14 provides for a petition process to vacate an arrest or conviction for a nonviolent offense that occurred while the petitioner was a victim of human trafficking.
8.	<i>Amend interpreter’s statement on forms:</i> At its September 2019 meeting, the Judicial Council approved revisions to the interpreter’s statement on four Judicial Council criminal forms, to more accurately describe the role and responsibilities of interpreters.
9.	<i>Form proposal to implement recently enacted legislation (AB 865):</i> At its September 2019 meeting, the Judicial Council approved optional form <i>Petition for Resentencing Based on Health Conditions from Military Service Listed in Penal Code Section 1170.91</i> (form CR-412/MIL-412), to implement legislation allowing veterans to benefit retroactively from the passage of Penal Code section 1170.91, which permits a judge to consider enumerated health conditions that have resulted from military service as a mitigating factor at sentencing.
10.	<i>Form proposal to implement recently enacted legislation (AB 2867):</i> At its September 2019 meeting, the Judicial Council approved revisions to <i>Motion to Vacate Conviction or Sentence</i> (CR-187) and its accompanying order (CR-188), in response to legislation that clarified the timing and procedural requirements of Penal Code section 1473.7, which allows vacatur of a conviction or sentence based on prejudicial error related to immigration consequences or newly discovered evidence of actual innocence.
11.	<i>Pending criminal legislation:</i> The committee provided subject matter expertise on numerous pending criminal law bills, and reviewed and recommended positions on numerous pending criminal law bills.

Family and Juvenile Law Advisory Committee

Annual Agenda¹—2020

Approved by RUPRO: October __, 2019

I. COMMITTEE INFORMATION

Chair:	Hon. Jerilyn Borack and Hon. Mark A. Juhas, Co-chairs
Lead Staff:	Ms. Ms. Tracy Kenny and Ms. Nicole Giacinti, Co-lead Staff; Ms. Amanda Morris, Administrative Coordinator, Center for Families, Children & the Courts
Committee's Charge/Membership: Rule 10.43. Family and Juvenile Law Advisory Committee of the California Rules of Court states the charge of the Family and Juvenile Law Advisory Committee, which is to make recommendations to the Judicial Council for improving the administration of justice in all cases involving marriage, family, or children. Rule 10.43. Family and Juvenile Law Advisory Committee sets forth additional duties of the committee. The Family and Juvenile Law Advisory Committee currently has 36 voting members and one advisory member. The Family and Juvenile Law Advisory Committee website provides the composition of the committee.	
Subcommittees/Working Groups²: <ol style="list-style-type: none">1. Protective Order Working Group (POWG)2. Violence Against Women Education Program/Victims of Crime Act (VAWEP/VOCA)3. Joint Juvenile Competency Issues Working Group	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³	
1.	Legislative Changes from the 2018-2019 Legislative Session	Priority 1⁴
<p>Project Summary: As directed by the Judicial Council, review legislation identified by Governmental Affairs that may have an impact on family and juvenile law issues within the advisory committee’s purview. The committee will review the legislation below, and any other identified legislation, and propose rules and forms as may be appropriate for the council’s consideration.</p> <p><u>Domestic Violence:</u></p> <ul style="list-style-type: none"> a. AB 800 (Chu) Civil actions: confidentiality (Ch. 439, Statutes of 2019) Allows active participants in the Safe at Home Program to participate in a civil proceeding under a pseudonym and with other protections when that person is a party in the proceeding. b. AB 925 (Gloria) Protective orders: confidential information regarding minors (Ch. 294, Statutes of 2019) Expands the circumstances in which it is permissible to disclose a minor’s confidential information contained in certain protective orders. <p><u>Family:</u></p> <ul style="list-style-type: none"> c. AB 677 (Choi) Intercountry adoption finalized in a foreign country (Ch. 805, Statutes of 2019) Requires that a foreign adoption be set for readoption in California within a set period of time. d. AB 1165 (Bauer-Kahan) Child custody: supervised visitation (Ch. 823, Statutes of 2019) Revises requirements for professional providers of supervised visitation services in child custody matters. e. AB 1179 (Rubio) Child custody: allegations of abuse: report (Ch. 127, Statutes of 2019) 		

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	New or One-Time Projects ³
	<p>Requires that a child custody evaluation, investigation, or assessment ordered by the court where the court determines that there is a serious allegation of child sexual abuse, must, beginning January 1, 2021, be completed on a form developed by Judicial Council.</p> <p>f. <u>AB 1373 (Patterson) Adoption (Ch. 192, Statutes of 2019)</u> Clarifies when the termination of parental rights as part of an adoption may be waived and expands the ability to use the limited stepparent adoption process when a child is born to a married couple or domestic partners through gestational surrogacy.</p> <p>g. <u>AB 1817 (Committee on Judiciary) Family law omnibus (Ch. 115, Statutes of 2019)</u> Makes numerous and clarifying changes to terminology in the Family Code.</p> <p>h. <u>SB 495 (Durazo) Child custody (Ch. 551, Statutes of 2019)</u> Prohibits a court from considering sex, gender identity, gender expression, or the sexual orientation of a parent, legal guardian, or relative when making a best interest determination for purposes of awarding child custody or visitation rights.</p> <p><u>Juvenile Dependency:</u></p> <p>i. <u>AB 175 (Gipson) Foster care: rights (Ch. 438, Statutes of 2019)</u> Expands, clarifies, and revises the rights of foster youth found in current statute under the Foster Youth Bill of Rights.</p> <p>j. <u>AB 686 (Waldron) Indian Children (Ch. 434, Statutes of 2019)</u> Requires the Judicial Council to develop a rule of court that authorizes telephonic or remote appearance by an Indian Child's tribe in cases where ICWA is applicable.</p> <p>k. <u>AB 718 (Eggman) Dependent children: documents (Ch. 438, Statutes of 2019)</u> Requires child welfare agencies to begin process of providing key documents to foster youth beginning at age 16, rather than at the end of juvenile court jurisdiction.</p> <p>l. <u>AB 748 (Gipson) Nonminor dependents (Ch. 682, Statutes of 2019)</u> Provides that youth who were subject to an order for foster care before they reached 18 years of age, but were not yet adjudged dependents of the juvenile court before reaching their 18th birthday, are eligible for extended foster care benefits.</p> <p>m. <u>AB 819 (Stone) Foster care (Enrolled)</u> Requires the court to terminate its dependency jurisdiction and to retain jurisdiction over the child as a ward of the legal guardianship, following establishment of a legal guardianship, if a relative of the child is appointed guardianship, as authorized.</p>

#	New or One-Time Projects ³
	<p>n. AB 1068 (Cooley) Juveniles: dependency: child and family teams (Ch. 777, Statutes of 2019) Adds procedural formalities to provisions governing child and family teams to provide oversight, ensure meaningful participation, and protect confidential information.</p> <p>o. SB 377 (McGuire) Juveniles: psychotropic medications: medical information (Ch. 780, Statutes of 2019) Requires the Judicial Council to include in its forms for authorizing the administration of psychotropic drugs to a child dependent or ward of the court to include a request for authorization by the child or the child’s attorney to release the child’s medical information to the Medical Board of California in order to ascertain whether there is excessive prescribing of psychotropic medication</p> <p><u>Juvenile Justice:</u></p> <p>p. AB 1394 (Daly) Juveniles: sealing of records (Ch. 766, Statutes of 2019) Prohibits a court or probation department from charging any applicant a filing fee to petition to seal juvenile court records.</p> <p>q. AB 1423 (Wicks) Transfers to juvenile court (Ch. 583, Statutes of 2019) Creates a mechanism for the return of a case back to the juvenile court from the criminal court under certain circumstances.</p> <p>r. AB 1537 (Cunningham) Juvenile records: inspection: prosecutorial discovery (Ch. 50, Statutes of 2019) Expands a prosecutor’s ability to request to access, inspect, or use specified sealed juvenile records if the prosecutor has reason to believe that the record may be necessary to meet a legal obligation to disclose favorable or exculpatory evidence to a defendant in a criminal case.</p> <p>s. SB 94 (Committee on Budget and Fiscal Review) Public Safety: omnibus (Ch. 25, Statutes of 2019) Transfers the Division of Juvenile Justice Facilities from the California Department of Corrections (CDCR) to the Health and Human Services Agency and establishes the Department of Youth and Community Restoration as of July 1, 2020. Requires various technical changes and the establishment of memoranda of understanding with various departments and agencies to effectuate this change. Creates a committee of the Child Welfare Council to provide recommendations and input on the newly created Department of Youth and Community Restoration and requires annual reporting to the Legislature through 2025.</p> <p>Status/Timeline: Any rules and forms proposals required to implement legislation enacted in 2019 will be prepared for the Winter or Spring public comment cycles in 2020 as appropriate with anticipated effective dates of either September 1, 2020 or January 1, 2021.</p> <p>Fiscal Impact/Resources: CFCC staff, in consultation with staff from the Legal Services will prepare revised rules and forms as needed. Joint Rules Subcommittee of Trial Court Presiding Judges and Court Executive Advisory Committees (TCPJAC/CEAC JRS) will review proposals for court operations impacts as necessary.</p>

#	New or One-Time Projects³	
	<p>Internal/External Stakeholders: All draft proposals will circulate for public comment to a list of family and juvenile law related stakeholders as well as all court executives and presiding judges.</p> <p>AC Collaboration: For proposals that impact family and civil courts, the committee will collaborate with the Civil and Small Claims Advisory Committee. For proposals impacting tribal courts, the committee will collaborate with the Tribal Court–State Court Forum. For proposals impacting the Courts of Appeal, the committee will collaborate with the Appellate Advisory Committee.</p>	
2.	Advise on Distribution of Federal Title IV-E Reimbursement for Dependency Counsel	Priority 1
	<p>Project Summary: A change in the federal <i>Child Welfare Policy Manual</i> permits attorneys who provide dependency representation to claim reimbursement for specified legal activities. The Budget Act of 2019 supports this federal reimbursement with an increase of \$34 million, and ongoing funds in future years, for court appointed dependency counsel. The Council recently authorized distribution of these funds to court appointed dependency counsel statewide.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Legal Services; BAPS</p> <p>Internal/External Stakeholders: CEAC Subcommittee, California Department of Social Services, Child Welfare Directors Association, Court Appointed Counsel in Dependency Providers</p> <p>AC Collaboration: TCPJAC/CEAC</p>	
3.	Family: Correcting Spousal Support form to Address <i>In re Marriage of Martin</i>	Priority 1a

#	New or One-Time Projects³	
	<p>Project Summary: Under current law spousal support orders terminate upon the remarriage of the obligee unless there is a stipulated order to the contrary, but as the Court of Appeal noted in <i>In re Marriage of Martin</i>, 32 Cal.App.5th 1195 (2019), the Judicial Council form order for spousal support requires that a box terminating support upon remarriage be checked in order for that to apply. The court expressly directed the council to revise the form to make that a mandatory order with a check box only for those stipulating that it not apply.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021 for rules and forms</p> <p>Fiscal Impact/Resources: Legal Services for rules and forms, TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p>Internal/External Stakeholders: A draft proposal would circulate for public comment to a list of family and juvenile law related stakeholders as well as all court executives and presiding judges.</p> <p>AC Collaboration: None</p>	
4.	AB 1058 Program Rule and Statutory Changes to Implement Guideline Study and Federal Rule Changes	Priority 1a
	<p>Project Summary: The Judicial Council submitted its statutorily required quadrennial child support guideline review to the legislature in 2019 and staff has been working with the Department of Child Support Services and other key stakeholders to discuss what changes might be needed statute, rules of court, and forms to implement the recommendations in the report, as well as recently issued changes in federal regulations governing the Title IV-D program which funds child support enforcement and the AB 1058 program. It is expected that proposals for rules and form changes will be suggested and that legislation will be introduced for the council to review and comment on.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021 for rules and forms, and introduction of legislation in 2020 for review. TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p>Fiscal Impact/Resources: Legal Services and Government Affairs; TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p>Internal/External Stakeholders: California Department of Child Support Services</p> <p>AC Collaboration: None</p>	

#	New or One-Time Projects ³	
5.	Juvenile: Providing exculpatory information from sealed juvenile court files	Priority 1b
<p>Project Summary: Recent legislation (AB 2952 (Stone; Stats. 2018, ch. 1002) set forth a procedure by which prosecutors can petition the juvenile court for access to sealed juvenile court records that may contain exculpatory material required to be provided to the defendant under <i>Brady</i> principles. The committee circulated a proposal for comment in the Spring 2019 RUPRO cycle to seek input on whether there was a need for a rule of court and or form to implement these requirements. Most commenters were in favor of developing such a proposal in a future cycle.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021 for rules and forms</p> <p>Fiscal Impact/Resources: Legal Services for rules and forms, TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p>Internal/External Stakeholders: A draft proposal would circulate for public comment to a list of family and juvenile law related stakeholders as well as all court executives and presiding judges.</p> <p>AC Collaboration: Criminal Law Advisory Committee</p>		
6.	Protective Orders: Access to the California Protective Order Registry	Priority 1b
<p>Project Summary: As lead committee for Protective Orders Working Group (POWG), work with Civil Small Claims Advisory Committee to examine the need for statewide guidance and policies on access to the California Protective Order Registry (CCPOR).</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021.</p> <p>Fiscal Impact/Resources: Legal Services</p> <p>Internal/External Stakeholders: California Department of Justice</p> <p>AC Collaboration: Civil and Small Claims Advisory Committee</p>		
7.	Juvenile Law: Revise Form JV-535	Priority 1b

#	New or One-Time Projects³	
	<p>Project Summary: In response to multiple concerns about the accuracy and usability of this form, the Committee will revise form JV-535 to ensure it is legally accurate and user-friendly.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021.</p> <p>Fiscal Impact/Resources: Legal Services; TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None</p>	
8.	<p>Family Law: Update Statutory References in FL-165</p> <p>Project Summary: Update federal statutory references in item 5, Declaration of nonmilitary status, on the <i>Request to Enter Default (Family Law-Uniform Parentage)</i> (FL-165) and consider whether the current affidavit language is legally sufficient.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021.</p> <p>Fiscal Impact/Resources: Legal Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Information Technology Advisory Committee, Civil and Small Claims Advisory Committee, Probate and Mental Health Advisory Committee</p>	Priority 1b
9.	<p>Family/Probate Law Crossover: Form for Designation of Emergency Child Caregiver and Nomination of Guardian</p>	Priority 2
	<p>Project Summary: Provide input and feedback to the Probate Mental Health Advisory Committee (PMHAC) as it seeks to develop a Judicial Council form for a parent to use to designate an emergency caregiver for a child and to nominate a guardian for the child.</p> <p>Status/Timeline: New form anticipated to take effect September 1, 2020.</p> <p>Fiscal Impact/Resources: Committee staff</p>	

#	New or One-Time Projects³	
	<p><i>Internal/External Stakeholders:</i> Legal Services</p> <p><i>AC Collaboration:</i> Probate Mental Health Advisory Committee</p>	
10.	Remote Video Appearances in Noncriminal Proceedings Workstream	Priority 2
	<p><i>Project Summary:</i> Provide input and feedback to the Information Technology Advisory Committee (ITAC) as it seeks legislation and amended rules of court to allow for remote video appearances in civil proceedings.</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021.</p> <p><i>Fiscal Impact/Resources:</i> Legal Services, Government Affairs</p> <p><i>Internal/External Stakeholders:</i></p> <p><i>AC Collaboration:</i> Information Technology Advisory Committee, Civil and Small Claims Advisory Committee, Probate and Mental Health Advisory Committee</p>	
11.	Protective Order Forms: Continuance form for Renewal of Protective Order	Priority 2
	<p><i>Project Summary:</i> As lead committee for Protective Orders Working Group (POWG), work with Civil Small Claims Advisory Committee to consider whether to adopt a form to request a continuance in a DVPA proceeding to renew a protective order.</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021.</p> <p><i>Fiscal Impact/Resources:</i> Legal Services</p> <p><i>Internal/External Stakeholders:</i> California Department of Justice</p> <p><i>AC Collaboration:</i> Civil and Small Claims Advisory Committee</p>	
12.	Juvenile Law: Warrant Form for Department of Juvenile Facilities	Priority 2
	<p><i>Project Summary:</i> Consider whether to adopt forms, similar to CR-301 and CR-302, that enable staff at the facility to request a warrant for arrest when a person committed to Department of Juvenile Facilities escapes.</p>	

#	New or One-Time Projects³	
	<p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2022.</p> <p><i>Fiscal Impact/Resources:</i> Legal Services</p> <p><i>Internal/External Stakeholders:</i> California Department of Justice/Health and Human Services Agency</p> <p><i>AC Collaboration:</i> Criminal Law Advisory Committee</p>	
13.	Juvenile Law/Appellate: Amendments to Rules 8.405, 8.450, and 8.454	Priority 2
	<p><i>Project Summary:</i> Provide input and feedback to the Appellate Advisory Committee as it considers whether to revise three juvenile appellate rules to modify the way in which the clerk is obligated to notify the court reporter to prepare a transcript.</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021.</p> <p><i>Fiscal Impact/Resources:</i> Legal Services</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Appellate Advisory Committee</p>	
14.	Juvenile Law: Court Appointed Special Advocate Rule of Court	Priority 2
	<p><i>Project Summary:</i> Consider whether to revise the current rule for Court Appointed Special Advocates (CASA), rule 5.655, to allow programs to provide CASA support to children under the jurisdiction of a different county when the child is placed in the county where the CASA program is located.</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021.</p> <p><i>Fiscal Impact/Resources:</i> Legal Services</p> <p><i>Internal/External Stakeholders:</i> California CASA</p> <p><i>AC Collaboration:</i> None</p>	

#	New or One-Time Projects ³	
15.	<p>Judicial Council forms within the committee’s purview that have a gender identity question or term</p> <p><i>Project Summary:</i> Revise all gendered terms or gender identity questions to conform to legislative changes providing for nonbinary gender identity as those forms are subject to revision for any other purpose including implementation of statutory changes.</p> <p><i>Status/Timeline:</i> Ongoing with each RUPRO cycle</p> <p><i>Fiscal Impact/Resources:</i> Legal Services</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	<p><i>Priority 2</i></p>

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#	Ongoing Projects and Activities	
1.	Proposition 57 and AB 1423	Priority 1
<p>Project Summary: Monitor implementation of a recently enacted propositions and legislation, and assist juvenile courts with any required implementation:</p> <ul style="list-style-type: none"> a) Proposition 57 enacted November 8, 2016 restructured the process for transfer of jurisdiction from juvenile to criminal court and eliminated the ability of prosecutors to directly file cases in criminal court. Pending legislation, AB 1423, seeks to allow a reverse remand procedure for young people who are tried in adult court but are not convicted of the crime that was the basis of the transfer to adult court. b) SB 384 (Wiener; Stats. 2017, ch. 541) implemented changes to sex offender registration requirements. <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Criminal Justice Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Criminal Law Advisory Committee</p>		
2.	Family First Prevention Services Act Implementation	Priority 1
<p>Project Summary: Monitor implementation of the Family First Prevention Services Act (FFPSA), which reforms federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act, to provide services to families who are at risk of entering the child welfare system. The committee may be asked to provide input on required changes to California law or to develop rules and forms.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Legal Services and Government Affairs; TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p>Internal/External Stakeholders: California Department of Social Services, Chief Probation Officers of California, Child Welfare Directors Association</p> <p>AC Collaboration: None</p>		

#	Ongoing Projects and Activities	
3.	Indian Child Welfare Act Legal Updates	Priority 1
<p>Project Summary: Monitor implementation of rules and forms created pursuant to AB 3176 (Waldron) Indian children. Assembly Bill 3176 updates the Indian Child Welfare Act provisions in the Welfare and Institutions Code to comply with recent Federal Bureau of Indian Affairs regulations.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021 for rules and forms. TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p>Fiscal Impact/Resources: Legal Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Tribal Court–State Court Forum</p>		
4.	Juvenile Traffic Offenders	Priority 1
<p>Project Summary: At the request of the Futures Traffic Working Group, provide subject matter expertise on the impact on juvenile traffic offenders in proposed Judicial Council sponsored legislation to implement Futures Commission recommendations that would make adult traffic offenses subject to civil rather than criminal sanctions.</p> <p>Status/Timeline: Sponsored legislation proposal to be introduced in Winter 2020.</p> <p>Fiscal Impact/Resources: Criminal Justice Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Futures Traffic Working Group</p>		
5.	Assembly Bill 1058 Child Support Program Funding	Priority 1

#	Ongoing Projects and Activities	
	<p>Project Summary: As directed by the council, provide recommendations to the Trial Court Budget Advisory Committee regarding a funding methodology for the Family Law Facilitator program and continued implementation of the workload based funding methodology for the AB 1058 Child Support Commissioners program. Provide recommendations to the council for allocation of federal draw down funding for courts who are able to provide matching funds to obtain additional Title IV-D funds for the AB 1058 program.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Budget Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Trial Court Budget Advisory Committee and Court Executives Advisory Committee</p>	
6.	Access to Visitation Funding and Legislative Report	Priority 1
	<p>Project Summary: Provide recommendations to the council for allocation of funding pursuant to Family Code section 3204. Additionally, the committee will provide the council with the statutorily mandated legislative report on the program due every other year.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Budget Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None</p>	
7.	Court Appointed Special Advocates (CASA) grants program Funding Augmentation (Welf. & Inst. Code, § 100 et seq.)	Priority 1
	<p>Project Summary: Evaluate impact of \$500,000 augmentation received beginning fiscal year 18-19 and develop recommendation to the Judicial Council for an ongoing methodology for these funds.</p> <p>Status/Timeline: Ongoing</p>	

#	Ongoing Projects and Activities	
	<p><i>Fiscal Impact/Resources:</i> Budget Services</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	
8.	Blue Ribbon Commission on Children in Foster Care (BRC) Recommendations	Priority 1
	<p><i>Project Summary:</i> Continue to provide Judicial Council members input on council accepted recommendations concerning child welfare made by the BRC.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> None</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	
9.	Family Law: Elkins Family Law Task Force recommendations	Priority 1
	<p><i>Project Summary:</i> Continue to provide Judicial Council members input on council accepted recommendations for family law issues addressed by the Elkins Family Law Task Force.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> None</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	

#	Ongoing Projects and Activities	
10.	Referrals from the Commission on the Future of California’s Court System	Priority 1
<p>Project Summary: The Futures Commission made recommendations for significant reform in family and juvenile law. If those recommendations are referred to the committee it would review them and determine the next steps needed for implementation. See Letter from Chief Justice to Judicial Council internal committee chairs, May 17, 2017</p> <p>Family Recommendations:</p> <ul style="list-style-type: none"> a) Provide mediation without recommendations as the first step in resolving all child custody disputes. b) Explore through pilot projects or otherwise whether additional services, including tiered mediation, would be effective in complex or contentious cases. <p>Juvenile Recommendations:</p> <ul style="list-style-type: none"> a) Establish a single juvenile court with consolidated jurisdiction over all juvenile court matters. b) Provide courts with jurisdiction over children and parents in all juvenile cases and provide children and parents counsel when appropriate. c) Test these proposals via pilot programs in a diverse set of courts <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Legal Services, Governmental Affairs</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None</p>		
11.	Domestic Violence	Priority 1
<p>Project Summary: Provide recommendations to the council on statewide judicial branch domestic violence issues in the area of family and juvenile law, including projects referred from the work of the Domestic Violence Practice and Procedure Task Force and the Violence Against Women Education Program (VAWEP). Serve as lead committee for Protective Orders Working Group (POWG). Examine the need for statewide guidance and policies on access to the California Courts Protective Order Registry (CCPOR).</p>		

#	Ongoing Projects and Activities	
	<p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Criminal Justice Services, Lega Services</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Civil Small Claims Advisory Committee, Criminal Law Advisory Committee</p>	
12.	Legislation	Priority 1
	<p><i>Project Summary:</i> As requested by the Judicial Council Policy Coordination and Liaison Committee review and recommend positions on legislation related to family and juvenile law matters.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Governmental Affairs</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	
13.	Education	Priority 1
	<p><i>Project Summary:</i> Contribute to planning efforts in support of family and juvenile law judicial branch education.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> CJER</p> <p><i>Internal/External Stakeholders:</i> None</p>	

#	Ongoing Projects and Activities	
	<i>AC Collaboration:</i> CJER Governing Committee	
14.	Review approval of training providers under 5.210, 5.225, 5.230, and 5.518.	Priority 1
	<p><i>Project Summary:</i> Training providers/courses are reviewed for compliance with these rules by Judicial Council staff, in consultation with the Family and Juvenile Law Advisory Committee. As directed by the Judicial Council, result of review of delegations.</p> <p><i>Status/Timeline:</i> Ongoing <i>Fiscal Impact/Resources:</i> Support Services, Legal Services</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	
15.	FL-800 Joint Petition for Summary Dissolution	Priority 1
	<p><i>Project Summary:</i> Update to reflect change in cost of living per Family Code section 2400(b) as a technical change.</p> <p><i>Status/Timeline:</i> Ongoing requirement to adjust every other year, next adjustment to be effective January 1, 2018 (approved by the Judicial Council 3/24/17 in a technical report)</p> <p><i>Fiscal Impact/Resources:</i> Lega Services</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> None</p>	
16.	Fee Waiver: Changes to Rules and Forms Based on <i>Jameson v. Desta</i>	Priority 1a
	<p><i>Project Summary:</i> The California Supreme Court in Jameson v. Desta, (2018) 5 Cal.5th 594, held that a superior court cannot withhold court reporter services from an indigent litigant, who had been granted an initial fee waiver, based on a general policy that official court reporters</p>	

#	Ongoing Projects and Activities	
	<p>are not made available for civil cases. The Judicial Council approved a rules and forms proposal at its May 2019 meeting, and directed the Civil and Small Claims Advisory Committee to continue to work on this issue in light of the comments received from legal services. These included at a minimum the development of a form to request court interpreters and also consideration of the proposals that no request be required, but instead that either court reporters or electronic recordings be automatically made available for all hearings for fee waiver recipients.</p> <p><i>Status/Timeline:</i> Anticipated effective date of January 1, 2021 for rules and forms.</p> <p><i>Fiscal Impact/Resources:</i> Legal Services; TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Civil and Small Claims Advisory Committee, Probate and Mental Health Advisory Committee</p>	
17.	<p>Juvenile Case Files: AB 1617 (Bloom) Inspection of Juvenile Case Files</p>	<p><i>Priority 1b</i></p>
	<p><i>Project Summary:</i> AB 1617 (Bloom; Stats. 2018, ch. 992) added section 827(a)(6) to the Welfare and Institutions Code to allow certain parties involved in an appeal to access the case file on appeal. The proposal to implement section 827(a)(6) is recommended be postponed until the next winter cycle. An ad hoc working group consisting of members from this committee and the Appellate Advisory Committee (AAC), convened after the comment period and addressed issues raised from commenters. The resolution of some of the issues raised cannot be addressed without recirculating due to the substantive nature of the recommended change.</p> <p><i>Status/Timeline:</i> Anticipated effective date of September 1, 2020.</p> <p><i>Fiscal Impact/Resources:</i> Legal Services; TCPJAC/CEAC JRS will review proposals for court operations impacts as necessary.</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Appellate Advisory Committee</p>	
18.	<p>Court coordination and allegations of child abuse and neglect</p>	<p><i>Priority 1a</i></p>
	<p><i>Project Summary:</i> A proposal to work collaboratively with Probate and Mental Health as well as the Advisory Committee on Providing Access and Fairness on issues related to court coordination and allegations of child abuse and neglect in guardianship cases.</p>	

#	Ongoing Projects and Activities	
	<p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> None</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Probate and Mental Health Advisory Committee</p>	
19.	Consider Mental Health Issues Implementation Task Force Referrals	Priority 1b
	<p><i>Project Summary:</i> Coordinate with Judicial Council staff and other advisory committees on developing and implementing recommendations to improve access and procedures in mental health proceedings, including review and consideration of implementation of select recommendations referred by the Judicial Council following the task force’s final report to the council. Recommend appropriate action within the committee’s purview. As referred by the council.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Legal Services, Criminal Justice Services</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Collaborative Justice Courts Advisory Committee, Criminal Law Advisory Committee, Family and Juvenile Law Advisory Committee</p>	
20.	Rules Modernization Project	Priority 1c
	<p><i>Project Summary:</i> Continue to assist Information Technology Advisory Committee (ITAC) in its Rules Modernization Project, a collaborative multi-year effort to comprehensively review and modernize statutes and rules so that they will be consistent with and foster modern e-business practices.</p> <p><i>Status/Timeline:</i> Ongoing</p>	

#	Ongoing Projects and Activities	
	<p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Information Technology Advisory Committee</p>	
21.	<p>Serve as subject matter resource for other advisory groups to avoid duplication of efforts and contribute to development of recommendations for council action.</p>	<p><i>Priority 1d</i></p>
	<p><i>Project Summary:</i> Such efforts may include providing family and juvenile law expertise and review to working groups, advisory committees, and subcommittees as needed.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> None</p> <p><i>Internal/External Stakeholders:</i> None</p> <p><i>AC Collaboration:</i> Respective advisory bodies</p>	
22.	<p>Juvenile Dependency: Court-Appointed-Counsel Workload</p>	<p><i>Priority 1e</i></p>
	<p><i>Project Summary:</i> As referred by the council, begin fulfilling the Judicial Council’s charge to “Consider a comprehensive update of the attorney workload data and time standards in the current workload model” by monitoring and assessing the impact of the new funding provided for court-appointed dependency counsel in the 2017-18 Budget Act..</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Budget Services</p> <p><i>Internal/External Stakeholders:</i> None</p>	

#	Ongoing Projects and Activities	
	<i>AC Collaboration:</i> None	
23.	Protective Order Forms: Self-Represented Litigants	<i>Priority 1e</i>
	<p>Project Summary: As lead committee for Protective Orders Working Group (POWG), work with Civil Small Claims Advisory Committee to revise the protective order forms used in domestic violence and civil to ensure they are written in language that is comprehensible to non-attorneys, while maintaining legal accuracy.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021.</p> <p>Fiscal Impact/Resources: Legal Services</p> <p>Internal/External Stakeholders: California Department of Justice</p> <p>AC Collaboration: Civil and Small Claims Advisory Committee</p>	
24.	Court Coordination and Efficiencies	<i>Priority 2</i>
	<p>Project Summary: Review promising practices that enhance coordination and increase efficient use of resources across case types involving families and children including review of unified court implementation possibilities, court coordination protocols, and methods for addressing legal mandates for domestic violence coordination to provide recommendations for education content and related policy efforts.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: None</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None</p>	

#	Ongoing Projects and Activities	
25.	Minors and Nonminor Dependents	Priority 2
<p>Project Summary: Continue monitoring implementation, and recommend rule and form changes as necessary, to improve the handling of proceedings involving nonminor dependents. The Judicial Council was a cosponsor of Assembly Bill 12, the original legislation that authorized extended foster care for young adults ages 18 to 21, which was enacted in 2010, with most of its provisions effective January 1, 2012. The council has supported each of the subsequent cleanup bills to make changes to ensure smooth and effective implementation of Assembly Bill 12: Assembly Bill 212 in 2011, Assembly Bill 1712 in 2012, and Assembly Bill 787 (Stone; Stats. 2013, ch. 487) in 2013.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Legal Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None</p>		
26.	Rules and Forms: Miscellaneous Technical Changes	Priority 2
<p>Project Summary: Develop rule and form changes as necessary to correct technical errors meeting the criteria of rule 10.22(d)(2); “a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy....”.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Legal Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None</p>		
27.	Juvenile Law: Intercounty Transfers	Priority 2

#	Ongoing Projects and Activities	
	<p>Project Summary: Review requests under rule 5.610(g) to approve local collaborative agreements for alternative juvenile court transfer forms in lieu of JV-550. This project originated from the Judicial Council Delegations to the Administrative Director of the Courts (October 25, 2013).</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: None</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: None</p>	
28.	Juvenile Law: Competency Issues	Priority 2
	<p>Project Summary: To enrich recommendations to the council and avoid duplication of effort, members of the committee will collaborate with members of the Collaborative Justice Courts Advisory Committee, and members serving on other advisory bodies with mental health expertise, to consider developing recommendations to the Judicial Council to ensure that there are adequate services to address the needs of juveniles with competency issues.</p> <p>Status/Timeline: January 1, 2021</p> <p>Fiscal Impact/Resources: Governmental Affairs</p> <p>Internal/External Stakeholders: Associations representing probation officers, prosecutors, and public defenders</p> <p>AC Collaboration: Collaborative Justice Courts Advisory Committee</p>	

III. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	<p>Implementation of Legislative Changes from the 2017-2018 Legislative Session (Completed by September 1, 2019 or January 1, 2020)</p> <p>As directed by the Judicial Council, reviewed legislation identified by Governmental Affairs that may have an impact on family and juvenile law issues within the advisory committee’s purview. The committee reviewed the legislation below, and other identified legislation, and proposed rules and forms as appropriate for the council’s consideration.</p> <p><u>Family:</u></p> <ul style="list-style-type: none"> • Restraining Order Forms: Order on Request to Continue Hearing Effective January 1, 2020, in collaboration with the Civil Small Claims Advisory Committee revise two DV forms, two EA forms, two CH forms, and two GV forms to clarify whether the restrained person needs to be served for enforcement purposes. • Protective Orders: Alternative Service in Domestic Violence Prevention Act Cases Effective January 1, 2020 adopt one new form, approve one new information sheet, and revise one form to implement provisions that allow for alternative service in domestic violence restraining order cases when personal service has not been accomplished, despite diligent efforts. <ul style="list-style-type: none"> a. AB 2694 (Rubio) Domestic Violence: ex parte orders (<i>Ch. 219, Statutes of 2018</i>) Allows a person seeking a domestic violence restraining order to request to serve the party in a method other than personal service, after diligent attempts at personal service have been made. • Protective Orders: New INFO Form on Protecting Minor’s Information Effective January 1, 2020, adopt one new DV form and one new CH form to help litigants understand a new law that enables courts to make confidential certain information regarding a minor in civil harassment and domestic violence restraining order proceedings. <ul style="list-style-type: none"> a. AB 953 (Baker) Protective Orders: Personal Information of Minors (<i>Ch. 384, Statutes of 2017</i>) Authorizes a minor, or a minor’s legal guardian, to ask the court to make information about the minor confidential when a domestic violence or civil harassment restraining order is being issued. • Family Law: Rule and Forms for Minor to Marry or Establish a Domestic Partnership Effective January 1, 2020, adopt one rule and three forms to implement recent law changes on the required procedures for minors to seek court permission to marry or enter domestic partnerships as required by: <ul style="list-style-type: none"> a. SB 273 (Hill) Marriage and domestic partnership: minors (Ch. 660, Statutes of 2018) Creates additional requirements and court oversight before a minor may marry or establish a domestic partnership.

#	Project Highlights and Achievements
	<ul style="list-style-type: none"> <p>Family Law: Legislative Addition of New Category of Child Custody Evaluator Effective January 1, 2020 amend one rule of court and revise two forms to include an additional category of licensed child custody evaluator.</p> <ul style="list-style-type: none"> a. AB 2296 (Waldron) Licensed Professional Clinical Counselors: Licensed Clinical Social Workers (<i>Ch. 389, Statutes of 2018</i>) Adds the language “professional clinical counselor qualified to assess couples and families” to section 3110.5 of the Family Code. <p>Family Law: Changes to Parentage Rules and Forms Effective January 1, 2020, amend rules 5.350 and 5.635 and revise 25 family law forms to comply with amendments to the Family Code that replace the word “paternity” with “parentage” and made statues gender neutral, when possible</p> <ul style="list-style-type: none"> a. AB 2684 (Bloom) Parent and Child Relationship (<i>Ch. 876, Statutes of 2018</i>) Replaces “paternity” with “parentage” and revises language to be gender neutral, when possible. <p>Family Law: Changes to Continuance Rules and Forms Effective January 1, 2020 adopt one new rule, amend four rules, approve four new forms, revise two forms, and revoke one form to implement new procedures for continuing a hearing in family court. The new procedures respond to concerns raised by court professionals related to the current continuance rules and forms.</p> <p>Family Law: Miscellaneous Technical Changes Required by Sunsetting of Family Code section 4007.5 Effective January 1, 2020 revise 13 forms to remove references to relief currently available to child support obligors under Family Code section 4007.5, which sunsets on January 1, 2020.</p> <p>Family Law: Notice of Registration of Out-of-State Support Order Effective January 1, 2020 adopt one new form and revise two forms to create a more consistent process for registering out of state child support orders, provide clear and understandable information to litigants, and to correct errors on the forms.</p> <p>Family Law: Duty of Judge Hearing Matter Effective January 1, 2020 amend one rule to clearly define the role of the judge and the court at a title IV-D child support hearing.</p> <p><u>Indian Child Welfare Act (ICWA):</u></p> <ul style="list-style-type: none"> <p><u>ICWA: Implementation of AB 3176 (Waldron) for Indian Children</u> <i>Ch. 833, Statutes of 2018</i> Effective January 1, 2020, amend eight rules of court, adopt one new rule of court and three new ICWA forms, and revise 27 ICWA</p>

#	Project Highlights and Achievements
	<p>forms to comply with statutory changes set forth in AB 3176, as well as changes to the federal regulations and guidelines. These revisions also address concerns regarding ICWA rules and forms raised in several appellate court decisions.</p> <p><u>Juvenile Dependency:</u></p> <ul style="list-style-type: none"> <p>Juvenile Law: Update <i>Authorization to Release Health and Mental Health Information (Form JV-226)</i> Optional form JV-226 allows parents, guardians, and youth to provide authorization for medical and mental health providers to release information about the child but does not address the provisions of Civil Code section 56.106, which limits rights of a parent from whose custody the child has been removed.</p> <p>Determined no rules and forms necessary.</p> <p>AB 404 (Stone) Notice to Parties of Proposal to Place Child Out of County <i>Ch. 732, Statutes of 2017</i> Effective January 1, 2020, amend one rule and revise one form to implement Assembly Bill 404 (Stone; Stats. 2017, ch. 732), to conform to recent statutory changes regarding the circumstances that allow waiving the requirement for notice of the child welfare agency's intent to place a child out of county, and the time frame for notice of, and objection to, the agency's intent to move a foster child to a different county if that child is transitioning from a temporary placement facility.</p> <p>Juvenile Law: Legal Accuracy of Juvenile Forms Effective January 1, 2020, to comply with Senate Bill 190 (Mitchell; Stats. 2017, ch. 678) remove references to payment of fees from form JV-618, along with other sunsetted provisions. Effective January 1, 2020, to improve the legal accuracy of forms, revise two forms to include required title IV-E findings and to set forth the statutory process for reinstatement of reunification services.</p> <p>Juvenile Law: Advisement of Appellate Rights in Juvenile Law Effective January 1, 2020, amend one rule of court and adopt one new information sheet to clarify the duty to notice absent parents and to inform parents of their appellate rights.</p> <p><u>Juvenile Delinquency:</u></p> <ul style="list-style-type: none"> <p>Juvenile Law: Sealing of Records Effective January 1, 2020 proposed amended rule and form conform to recently enacted statutory provisions concerning the sealing of juvenile records. The proposal updated a recently adopted rule and form to implement:</p> <ol style="list-style-type: none"> <p>AB 2952 (Stone) Juvenile records: sealed records: access (Ch. 1002, Statutes of 2018)</p>

#	Project Highlights and Achievements
	<p>Authorizes a prosecuting attorney to access, inspect, or utilize a juvenile record that has been sealed under the automatic sealing process in order to meet a statutory or constitutional obligation to disclose favorable or exculpatory evidence to a defendant in a criminal case.</p> <p>a. SB 1281 (Stern) Juvenile records (Ch. 793, Statutes of 2018) Prohibits the destruction of a sealed juvenile record if an offense in that record has made the person subject to a firearms restriction until he or she turns 33 years of age, and authorizes a prosecuting attorney or the Department of Justice to inspect, to utilize those records for purposes related to the enforcement of that restriction, as specified.</p> <ul style="list-style-type: none"> • Juvenile Law: Transfer of Jurisdiction Effective January 1, 2020 proposed amended rules and forms to implement recent legislative changes restricting the age of those children whose cases can be transferred from juvenile to criminal court jurisdiction as required by: <ul style="list-style-type: none"> a. SB 1391 (Lara) Juveniles: fitness for juvenile court (Ch. 1012, Statutes of 2018) Repeals the authority of a prosecutor to make a motion to transfer a minor from juvenile court to adult criminal court in a case in which a minor is alleged to have committed a specified serious offense when he or she was 14 or 15 years of age, unless the individual was not apprehended prior to the end of juvenile court jurisdiction. • Juvenile Law: Competency Effective January 1, 2020 amend one rule, and amend and renumber one rule to comply with statutory changes that re-define the procedure related to restoration to competency that is implicated when there is a doubt about a child’s competency to proceed in Welfare and Institution Code section 602 proceedings. <ul style="list-style-type: none"> b. AB 1214 (Stone) Juvenile Proceedings: Competency (Ch. 990, Statutes of 2018) Expands duties and qualifications of experts in competency proceedings and clarifies procedure after a child is declared incompetent.
2.	<p>Rules Modernization Project and Implementation of AB 976 (Completed January 1, 2018)</p> <p>Each advisory committee was asked to include in their annual agendas for 2015 and 2016 an item providing for the drafting of proposed amendments to modernize the California Rules of Court related to their subject matter areas. This effort was undertaken in coordination with ITAC, which is responsible for developing and completing the overall rules modernization project.</p> <p>Implementation of council sponsored legislation (AB 976 (Berman) Electronic filing and service) that emerged from this project necessitated rule and form changes noted above.</p>
3.	<p>Provided technical assistance and position recommendations on family and juvenile related proposed legislation via numerous legislative review calls.</p>
4.	<p>Approved list of training providers for court connected child custody mediators, recommending counselors, and evaluators as directed by the Judicial Council.</p>

#	Project Highlights and Achievements
5.	AB 1058 Funding related activities: in addition to making recommendations to the council for ongoing funding allocations and midyear reallocations, the committee also provided members and a co-chair to the AB 1058 Funding Allocation Joint Subcommittee which continues to work on a new workload-based methodology for allocating funds for child support commissioners and family law facilitators.
6.	Provided recommendations to the Judicial Council for allocation of funding for the Access to Visitation Grant Program and submitted a report to the legislature on the grant program for council approval.
7.	Provided recommendations to the Judicial Council for allocation of funding for CASA programs, including a new CASA funding allocation methodology.
8.	Provided support for the activities and meetings of the Violence Against Women Education Program and hosted a statewide users forum for the California Courts Protective Order Registry.
9.	Began process of considering a comprehensive update of the attorney workload data and time standards in the current workload model by monitoring and assessing the impact of the new funding provided for court-appointed dependency counsel in the 2017-18 Budget Act.
10.	Provided technical assistance and position recommendations on family and juvenile related proposed legislation via numerous legislative review calls.
11.	Approved list of training providers for court connected child custody mediators, recommending counselors, and evaluators as directed by the Judicial Council.
12.	Family Law: Certification of Statewide Uniform Guideline Support Calculators

Probate and Mental Health Advisory Committee
Annual Agenda¹—2019–2020
Approved by Rules and Projects Committee: October 28, 2019

I. COMMITTEE INFORMATION

Chair:	Hon. Jayne Chong-Soon Lee, Commissioner, Superior Court of California, County of San Joaquin
Lead Staff:	Mr. Corby Sturges, Attorney, Center for Families, Children & the Courts
Committee's Charge/Membership: <p>Rule 10.44 of the California Rules of Court states the charge of the Probate and Mental Health Advisory Committee (PMHAC), which is to make recommendations to the council for improving the administration of justice in proceedings involving decedents' estates, trusts, conservatorships, guardianships, and other probate matters, as well as mental health and developmental disability issues.</p> <p>The committee is also charged with coordinating activities and work with the Family and Juvenile Law Advisory Committee in areas of common concern and interest.</p> <p>PMHAC currently has 17 voting members and 1 advisory member. The attached terms of service chart describes the composition of the committee.</p>	
Subcommittees/Working Groups²: <ol style="list-style-type: none">1. Legislation Subcommittee2. Guardianship Subcommittee3. Conservatorship and Legal Capacity Subcommittee	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30(c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³	
1.	Forms to petition for appointment of a guardian	Priority 1(e)⁴
<p>Project Summary: Develop proposal to revise petitions and accompanying forms for use to request appointment of a probate guardian for a minor to simplify the petition process, use plain language, and promote due process.</p> <p>Status/Timeline: Circulate for public comment in spring 2020 cycle, with amendments and revisions anticipated to take effect January 1, 2021.</p> <p>Fiscal Impact/Resources: Committee staff, Joint Rules Subcommittee of Trial Court Presiding Judges and Court Executive Advisory Committees (TCPJAC/CEAC JRS)</p> <p>Internal/External Stakeholders: Guardianship Subcommittee, Legal Services</p> <p>AC Collaboration: None</p>		
2.	Forms for disposition of estates without administration	Priority 1(a) [see footnote 4]
<p>Project Summary: Develop proposal to revise forms DE-305, <i>Affidavit re Real Property of Small Value (\$50,000 or Less)</i>; DE-310, <i>Petition to Determine Succession to Real Property (Estates of \$150,000 or Less)</i>; DE-315, <i>Order Determining Succession to Real Property (Estates of \$150,000 or Less)</i>, and possibly forms DE-221, <i>Spousal or Domestic Partner Property Petition</i> and DE-226, <i>Spousal or Domestic Partner Property Order</i> to the extent necessary to implement Assembly Bill 473 (Stats. 2019, ch. 122), which increased the threshold amounts below which estate property is eligible for disposition without administration.</p> <p>Status/Timeline: Revised forms to take effect January 1, 2020</p>		

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	New or One-Time Projects ³	
	<p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: Legal Services</p> <p>AC Collaboration: None</p>	
3.	<p>Forms for requesting a fee waiver in a guardianship or conservatorship and rule governing fee waivers in proceedings under the Probate Code</p>	<p>Priority 1(a), 1(e) [See footnote 4]</p>
	<p>Project Summary: Consider revising the Judicial Council fee waiver forms adopted for use in guardianship and conservatorship proceedings and amending rule 7.5 of the California Rules of Court more clearly to implement the statutory distinction in guardianship and conservatorship proceedings between the <i>petitioner</i> and the fee waiver <i>applicant</i> introduced by Assembly Bill 2747 (Stats. 2014, ch. 913), to simplify the application process for petitions for guardianships of only the person, and to make any remaining revisions necessary to conform to the principles articulated in the Supreme Court’s decision in Jameson v. Desta (2018) 5 Cal.5th 594.</p> <p>Status/Timeline: Revised forms and amended rules are anticipated to take effect no sooner than January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff, TCPJAC/CEAC JRS</p> <p>Internal/External Stakeholders: Legal Services</p> <p>AC Collaboration: Civil and Small Claims Advisory Committee</p>	
4.	<p>Form for designating an emergency caregiver and nominating a guardian for a child</p>	<p>Priority 1(e) [See footnote 4]</p>
	<p>Project Summary: Develop a Judicial Council form for a parent to use to designate an emergency caregiver for a child and to nominate a guardian for the child. The form would be developed in response to an identified need to clarify the legal steps and court approval required if a parent wants a designated caregiver to have legal custody of the child.</p> <p>Status/Timeline: New form anticipated to take effect September 1, 2020</p> <p>Fiscal Impact/Resources: Committee staff</p>	

#	New or One-Time Projects³	
	<p>Internal/External Stakeholders: Legal Services</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee</p>	
5.	Probate guardianship information for petitioners and parents	Priority 1(a), 1(e) [See footnote 4]
	<p>Project Summary: Revise and update form GC-205, the probate <i>Guardianship Pamphlet</i> for petitioners, form GC-505, <i>Forms You Need to Ask the Court to Appoint a Guardian of the Person</i>, and form GC-510, <i>What is Proof of Service in a Guardianship?</i> to reflect current law and increase accessibility for self-represented petitioners; develop an information form for parents of children who are subject to guardianship petitions; revise guardianship petitions and accompanying forms to ensure that all persons entitled to personal service receive proper notice of the proceedings and an opportunity to be heard.</p> <p>Status/Timeline: New and revised forms anticipated to take effect January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: Superior Court Self-Help Centers</p> <p>AC Collaboration: None</p>	
6.	Judicial Council forms for court approval of minor's compromise	Priority 1(e), 2(b) [See footnote 4]
	<p>Project Summary: Recommend circulation of proposal to revise and consider renumbering the Judicial Council forms adopted for use in proceedings to approve the compromise of a claim on behalf of a minor or person with a disability and to order deposit or withdrawal of funds from a blocked account. Consider whether to recommend making some or all of these forms confidential to protect the identity of the child or the child's guardian ad litem.</p> <p>Status/Timeline: Revised and renumbered forms anticipated to take effect January 1, 2021</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: Legal Services</p> <p>AC Collaboration: Civil and Small Claims Advisory Committee</p>	

#	New or One-Time Projects³	
7.	<i>Judicial Council capacity declaration forms and other associated forms</i>	<i>Priority 1(e), 2(b)</i> [See footnote 4]
<p><i>Project Summary:</i> The Conservatorship and Legal Capacity Subcommittee has identified several areas of tension between the statutory standards for establishing a conservatorship, the standards for determining lack of legal capacity, the typical use of the capacity declaration form, and the information and conclusions sought from clinical evaluators by the form. The subcommittee will recommend revisions to address these tensions to the full committee in fall 2019. The committee is likely to propose form revisions to circulate for comment in spring 2020.</p> <p><i>Status/Timeline:</i> Revised forms anticipated to take effect January 1, 2021.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, Conservatorship and Legal Capacity Subcommittee</p> <p><i>Internal/External Stakeholders:</i> Legal Services</p> <p><i>AC Collaboration:</i> None</p>		
8.	<i>Findings and orders in guardianship proceedings</i>	<i>Priority 1(e), 2(b)</i> [See footnote 4]
<p><i>Project Summary:</i> Consider revising the guardianship appointment and termination order forms to include language affirming jurisdiction, provision of notice and an opportunity to be heard, and the child’s country of habitual residence under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) and the Hague Convention for national and international enforcement. Consider whether the Probate Code authorizes the court to issue child custody orders on the termination of a guardianship of the person and, if so, revise the termination order forms to include</p> <p><i>Status/Timeline:</i> Revised forms anticipated to take effect no sooner than January 1, 2021.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff</p> <p><i>Internal/External Stakeholders:</i> Governmental Affairs, Legal Services</p> <p><i>AC Collaboration:</i> None</p>		
9.	<i>Remote Video Appearances in Noncriminal Proceedings Workstream</i>	<i>Priority 2</i> [See footnote 4]

#	New or One-Time Projects³	
	<p>Project Summary: Provide input and feedback to the Information Technology Advisory Committee (ITAC) as it seeks legislation and amended rules of court to allow for remote video appearances in civil proceedings.</p> <p>Status/Timeline: Anticipated effective date of January 1, 2021.</p> <p>Fiscal Impact/Resources: Committee staff. Legal Services, Governmental Affairs</p> <p>Internal/External Stakeholders:</p> <p>AC Collaboration: Information Technology Advisory Committee, Civil and Small Claims Advisory Committee, Family and Juvenile Law Advisory Committee</p>	
10.	Legislation to amend requirements for court retention of original wills	Priority 2 [See footnote 4]
	<p>Project Summary: Collaborate with Court Executives Advisory Committee to develop and propose legislation to authorize a court (a) to return an original probated will to a testator’s personal representative on request at the close of estate administration and (b) to make an electronic image of an original will lodged with the court after a decedent’s death, retain the electronic image, and destroy the original will if the will has not been offered for probate within a specified period.</p> <p>Status/Timeline: Develop proposal and circulated for public comment in spring 2020 cycle</p> <p>Fiscal Impact/Resources: Committee staff, Legal Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Advisory Committee on Providing Access and Fairness</p>	
11.	Judicial Council forms within the committee’s purview that use gender-specific terms or ask questions about a person’s gender identity	Priority 2 [See footnote 4]
	<p>Project Summary: Replace gender-specific terms or gender identity questions on Judicial Council forms within the committee’s purview to conform to legislative changes providing for nonbinary gender identity as those forms are subject to revision for any other reason, including implementation of statutory changes.</p>	

#	New or One-Time Projects³	
	<p>Status/Timeline: Ongoing in each RUPRO cycle</p> <p>Fiscal Impact/Resources: Committee staff, Legal Services</p> <p>Internal/External Stakeholders: None</p> <p>AC Collaboration: Advisory Committee on Providing Access and Fairness</p>	
12.	Revisions to Decedents Estate Procedures	Priority 2 [See footnote 4]
	<p>Project Summary: Consider proposing legislative amendments and revisions to decedents' estates forms to require provision of a certified copy of a decedent's death certificate with petitions for estate administration or disposition of property without administration; to require a petitioner to identify all known or reasonably ascertainable creditors of the estate with the petition as a condition of waiving bond; and to simplify the questions on the <i>Petition for Probate</i> (form DE-111) to promote more thorough identification of all intestate heirs entitled to notice of the hearing on the petition.</p> <p>Status/Timeline: Any revisions anticipated to take effect no sooner than January 1, 2021.</p> <p>Fiscal Impact/Resources: Committee staff, Legal Services, Governmental Affairs</p> <p>Internal/External Stakeholders:</p> <p>AC Collaboration: None</p>	

#	Ongoing Projects and Activities	
1.	Review and restructuring of probate guardianship process	Priority 1, 1(e) [See footnote 4]
<p>Project Summary: The Guardianship Subcommittee will continue to examine the Judicial Council forms adopted for use in guardianship proceedings to identify revisions needed to provide notice and an opportunity to be heard to parents whose children are the subject of a guardianship petition, to implement changes to California law, as amended to implement the 2016 federal regulations implementing the Indian Child Welfare Act of 1978 (ICWA) (25 U.S.C. § 1901 et seq.), and to simplify the processes to petition for appointment of a guardian and to object to the petition/appointment. Recommend revisions and additional forms for use in commencing proceedings to appoint a guardian. Consider separating guardianship forms and conservatorship forms into two discrete form sets.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff, Governmental Affairs staff</p> <p>Internal/External Stakeholders: Superior Court Self-Help Centers, Language Access Program staff; translation services</p> <p>AC Collaboration: Guardianship subcommittee, Tribal Court–State Court Forum</p>		
2.	Study the role, under current law, of legal capacity determinations in the process for appointment of a conservator and the grant of specific powers to an appointed conservator	Priority 1(e), 2 [See footnote 4]
<p>Project Summary: The Conservatorship and Legal Capacity Subcommittee will continue to study the role, under current law, of legal capacity determinations in the process for appointment of a conservator and the grant of specific powers to an appointed conservator. The subcommittee will develop recommendations, likely to include revisions to several Judicial Council forms, better to conform to current law. The subcommittee will collaborate with a team from the Keck School of Medicine of the University of Southern California, to evaluate the effectiveness of the forms in eliciting clinically accurate and legally material evaluations of a person’s abilities, including but not limited to, legal capacity to perform functions identified in the law. In addition, the subcommittee will consider providing expressly for the confidentiality of capacity declarations filed in judicial proceedings.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff; Conservatorship and Legal Capacity Subcommittee</p> <p>Internal/External Stakeholders: Legal Services; psychiatrists and clinical psychologists</p>		

#	Ongoing Projects and Activities	
	<i>AC Collaboration:</i> Collaborative Justice Courts Advisory Committee	
3.	<i>Support judicial branch efforts to improve access to mental health proceedings</i>	<i>Priority 2(b)</i> [See footnote 4]
<p><i>Project Summary:</i> Cooperate with Judicial Council staff and other advisory committees in developing and implementing recommendations to improve access and procedures in mental health proceedings, including recommendations 24–27 of the Mental Health Issues Implementation Task Force.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, staff to other advisory committees</p> <p><i>Internal/External Stakeholders:</i> Governmental Affairs, Legislature</p> <p><i>AC Collaboration:</i> Collaborative Justice Courts Advisory Committee, Criminal Law Advisory Committee, Family and Juvenile Law Advisory Committee</p>		
4.	<i>Support Futures Commission recommendations</i>	<i>Priority 2</i> [See footnote 4]
<p><i>Project Summary:</i> Although the Futures Commission did not recommend action directly applicable to probate, guardianship, conservatorship, or civil mental health proceedings, PMHAC remains alert for opportunities to facilitate the implementation of the Commission’s recommendations in civil proceedings and to provide technical assistance to staff working on the self-help recommendations.</p> <p><i>Status/Timeline:</i> Ongoing</p> <p><i>Fiscal Impact/Resources:</i> Committee staff, staff to other advisory committees</p> <p><i>Internal/External Stakeholders:</i> Governmental Affairs, Legislature</p> <p><i>AC Collaboration:</i> Civil and Small Claims Advisory Committee, Family and Juvenile Law Advisory Committee</p>		

#	Ongoing Projects and Activities	
5.	Review suggestions	Priority 1 [See footnote 4]
<p>Project Summary: As mandated by rule 10.21(c), review suggestions from members of the judicial branch and the public for improving judicial administration, practice, and procedure in decedents’ estate, trust, guardianship, conservatorship, and other proceedings under the Probate Code and recommend action by the council or one of its committees.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: As appropriate based on proposal received</p> <p>AC Collaboration: As appropriate based on proposal received</p>		
6.	Review pending legislation	Priority 1 [See footnote 4]
<p>Project Summary: Review pending legislation affecting probate court administration, practice, or procedure in proceedings under the Probate Code and the Lanterman-Petris-Short Act, and make recommendations to the council’s Policy Coordination and Liaison Committee, as required by rule 10.34(a)(3). Provide ongoing technical assistance on AB 1378, which would authorize a parent to establish a “standby guardianship” without court approval or oversight; AB 1412, which would create a separate, standalone proceeding under the Family Code, possibly supplanting the procedure under the guardianship law, for adjudication of a request for Special Immigrant Juvenile (SIJ) findings, and require the Judicial Council to adopt rules and forms to implement the procedure; and AB 1667, which would create a process and establish criteria for valid execution, proof, and probate of an electronic will.</p> <p>Status/Timeline: If enacted, legislation anticipated to take effect January 1, 2021.</p> <p>Fiscal Impact/Resources: Committee staff, Governmental affairs staff</p> <p>Internal/External Stakeholders: As appropriate based on subject of legislation</p> <p>AC Collaboration: Collaborative Justice Courts Advisory Committee and others as appropriate based on subject of legislation</p>		
7.	Review enacted legislation	Priority 1 [See footnote 4]

#	Ongoing Projects and Activities	
	<p>Project Summary: Review all enacted legislation referred to the committee by the Judicial Council’s Governmental Affairs staff that may affect issues within the advisory committee’s purview and, where appropriate, propose to the council rules and forms to implement the legislation or to bring rules and forms into conformity with it. This year, bills that may need implementation through new or amended rules and forms include AB 327 (estates and trusts: at-death transfers), AB 328 (estates and trusts: undue influence), AB 800 (civil actions: confidentiality), AB 1396 (protective orders: elder and dependent adults); SB 40 (conservatorship: serious mental illness and substance use disorders), SB 314 (elders and dependent adults: abandonment), SB 303 (guardians and conservators: compensation: residence of conservatee), SB 495 (child custody), and SB 496 (financial abuse of elder or dependent adults).</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff, Governmental affairs staff</p> <p>Internal/External Stakeholders: As appropriate based on subject of legislation</p> <p>AC Collaboration: As appropriate based on subject of legislation</p>	
8.	<p>Monitor developments in California guardianship law related to immigrant children</p>	<p>Priority 1 [See footnote 4]</p>
	<p>Project Summary: Monitor the implementation, in probate guardianship proceedings, of the directives in section 155 of the Code of Civil Procedure (added by Stats. 2014, ch. 685, § 1), section 1510.1 of the Probate Code (added by Stats. 2015, ch. 694), and other provisions concerning judicial findings to support (proposed) wards’ petitions for Special Immigrant Juvenile (SIJ) status in federal immigration proceedings.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff; Guardianship Process Subcommittee</p> <p>Internal/External Stakeholders: Legal Services</p> <p>AC Collaboration: Family and Juvenile Law Advisory Committee</p>	
9.	<p>Support rules modernization</p>	<p>Priority 2(b) [See footnote 4]</p>

#	Ongoing Projects and Activities	
	<p>Project Summary: Support and assist the Information Technology Advisory Committee (ITAC) in its efforts to review and modernize statutes and rules of court so that they will be consistent with and foster modern e-business practices.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: Legal Services</p> <p>AC Collaboration: ITAC</p>	
10.	Provide subject-matter expertise	Priority 2 [See footnote 4]
	<p>Project Summary: Serve as subject-matter resource for other advisory groups and Judicial council staff to support legal work, avoid duplication of efforts, and contribute to the development of recommendations for council action. These efforts may include providing probate and mental health procedural expertise and review to working groups, advisory committees, subcommittees, and Judicial Council staff, as needed.</p> <p>Status/Timeline: Ongoing</p> <p>Fiscal Impact/Resources: Committee staff</p> <p>Internal/External Stakeholders: As appropriate based on inquiry</p> <p>AC Collaboration: As appropriate based on inquiry</p>	

III. LIST OF 2018–2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Recommended finalizing amendments to rule 7.1101 to update and clarify qualifications, annual education requirements, and certification requirements for counsel appointed under Probate Code sections 1470 and 1471, as mandated by section 1456.
2.	Recommended completing repeal of rules 7.151 and 7.550(b)(1), which implemented the graduated filing fee for estate administration and initial trust accountings. This fee was held unconstitutional in 2008, the statutory basis for the fee was repealed in 2009, and the Judicial Council repealed the other rules implementing the fee, rules 7.552 and 7.553, in 2015.
3.	Recommended amending rule 7.575 to clarify that a court may accept a statement received by a fiduciary in electronic form as an original statement, as required by Probate Code section 2620, if a computer-generated printout of the statement is submitted in support of an accounting.
4.	Recommended amending rule 7.575 to require that request for a waiver of an accounting in a guardianship or conservatorship proceeding include, in addition to all information required by statute, specific information about any personal residence owned by the ward or conservatee to prevent loss of the home. Recommended approval of form GC-410 to allow courts that have not adopted a local form for a request for an accounting waiver to implement the rule more easily.
5.	Recommended revising the general notice of hearing form for decedents' estates proceedings and approving a new form for notice of hearing on a petition to determine a claim to property under Probate Code section 850 et seq.
6.	Convened the guardianship subcommittee, developed workplan to begin revisions of forms used to provide information to parties in guardianship proceedings, began revising forms used to commence proceedings to appoint a guardian of the person.
7.	Convened the conservatorship and legal capacity subcommittee; identified issues, including divergences between the current forms and existing law and between clinical medical practice and judicial determinations of a person's legal capacity and need for a conservator; engaged experts from the USC Keck School of Medicine; and began to frame the scope of the form revisions needed to enable clinical professionals evaluating a person who is the subject of a conservatorship petition to provide the court with material information.
8.	Recommended Judicial Council opposition to two significant bills: AB 1667, which would create a process and established criteria for a testator's execution and a court's recognition of an electronic will; and SB 303, which would severely restrict both the conservator's discretion to take action and the probate court's discretion to make orders when needed to protect the best interests of a conservatee.

RUPRO ACTION REQUEST FORM

RUPRO action requested: **Submit to JC (without circulating for comment)**

RUPRO Meeting: October 28, 2019

Title of proposal (*include amend/revise/adopt/approve + form/rule numbers*):

Rules and Forms: Disposition of Small Estates

Committee or other entity submitting the proposal:

Probate and Mental Health Advisory Committee

Staff contact (name, phone and e-mail): Corby Sturges, 415-865-4507, corby.sturges@jud.ca.gov

Identify project(s) on the committee's annual agenda that is the basis for this item:

Approved by RUPRO: October 19, 2018

Project description from annual agenda: Review all enacted legislation referred to the committee by the Judicial Council's Governmental Affairs staff that may affect issues within the advisory committee's purview and, where appropriate, and propose to the council rules and forms to implement the legislation or to bring rules and forms into conformity with it.

If requesting July 1 or out of cycle, explain:

Additional Information: (To facilitate RUPRO's review of your proposal, please include any relevant information not contained in the attached summary.)

The committee requests that RUPRO submit the proposal to the Judicial Council for adoption without circulating for comment. The proposal presents minor substantive changes that are unlikely to create controversy. (Cal. Rules of Court, rule 10.22(d)(2).)



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: November 14, 2019

Title	Agenda Item Type
Rules and Forms: Disposition of Small Estates	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise forms DE-305, DE-310, and DE-315	January 1, 2020
Recommended by	Date of Report
Probate and Mental Health Advisory Committee	October 18, 2019
Hon. Jayne Chong-Soon Lee, Chair	Contact
	Corby Sturges, 415-865-4507 corby.sturges@jud.ca.gov

Executive Summary

The Probate and Mental Health Advisory Committee recommends revising three forms for use in proceedings to dispose of property in small estates without administration. The revisions are needed to implement legislation, effective January 1, 2020, that increases the threshold values triggering the probate court's authority to dispose of small estates without full probate administration. These technical changes replace the existing amounts on the three forms with the new amounts to ensure that the forms remain accurate when the new law takes effect.

Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2020, revise:

1. *Affidavit re Real Property of Small Value (\$50,000 or Less)* (form DE-305) to replace "\$50,000" with "\$55,425";
2. *Petition to Determine Succession to Real Property (Estates of \$150,000 or Less)* (form DE-310) to replace "\$150,000" with "\$166,250"; and

3. *Order Determining Succession to Real Property (Estates of \$150,000 or Less)* (form DE-315) to replace “\$150,000” with “\$166,250.”

The revised forms are attached at pages 4–8.

Relevant Previous Council Action

Effective July 1, 1987, the Judicial Council adopted the *Affidavit re Real Property of Small Value* and approved the *Petition to Determine Succession to Real Property* and the *Order Determining Succession to Real Property* in response to amendments to the Probate Code.

Effective January 1, 1989, the Judicial Council revised these forms and assigned their current numbers. The council has approved minor revisions to these forms several times since then in response to statutory amendments, including increases to the threshold value of the property.

Analysis/Rationale

The Probate and Mental Health Advisory Committee recommends revising forms DE-305, DE-310, and DE-315 in response to amendments to the Probate Code¹ by Assembly Bill 473 (Stats. 2019, ch. 122). Currently, if the gross value of a decedent’s property in California does not exceed \$150,000, section 13151 authorizes the successor to the decedent’s interest in a particular item of real property, without getting letters of administration or waiting for probate of the will, to petition for a court order determining that the petitioner has succeeded to that property. Section 13152 specifies the required contents of a petition filed under section 13151. Section 13154 authorizes the court to make the requested order if it first makes certain specified determinations. Effective January 1, 2020, sections 10, 11, and 12 of AB 473 amend Probate Code sections 13151, 13152, and 13154 to increase the threshold amount from \$150,000 to \$166,250.

Form DE-310, the *Petition to Determine Succession to Real Property*, and form DE-315, *Order Determining Succession to Real Property*, refer several times to \$150,000. The recommended revisions to these forms replace \$150,000 with \$166,250 to provide accurate information that will enable prospective litigants, particularly self-represented litigants, to choose the proper method with which to seek access to the probate court.

In addition, current section 13200 authorizes a person or persons claiming as the successor of a decedent to a particular item of real property in California to file with the probate court an affidavit of succession to that property if the gross value of the decedent’s real property in California does not exceed \$50,000. Section 13 of AB 473 amended section 13200 to increase the threshold value to \$55,425. Form DE-305, the *Affidavit re Real Property of Small Value*, refers several times to \$50,000. The recommended revisions to form DE-305 replace \$50,000 with \$55,425 to provide accurate information that will enable prospective litigants, particularly

¹ All further statutory references are to the Probate Code unless otherwise specified.

self-represented litigants, to choose the proper method with which to seek access to the probate court.

Policy implications

The recommended revisions promote at least two Judicial Council policy objectives—modernization of the rules of court and promotion of access to the courts—by ensuring that the Judicial Council forms reflect accurate legal information that will make it easier for litigants to gain access to the probate court.

Comments

The recommendation has not circulated for public comment. The committee recommends that the council adopt the recommended revisions without circulation for comment because the proposal presents a minor substantive change that is unlikely to create controversy. (See Cal. Rules of Court, rule 10.22(d)(2).)

Alternatives considered

The committee did not consider any alternatives to the recommended action because the revisions are required to conform to statutory changes affecting litigants, including self-represented litigants, effective January 1, 2020.

Fiscal and Operational Impacts

This proposal should not have any fiscal or operational impacts on courts or litigants other than the costs of replacing outdated forms and reprogramming digital case management systems. These impacts arise from the legislation amending the Probate Code.

Attachments and Links

1. Forms DE-305, DE-310, and DE-315, at pages 4–8
2. Link A: Assem. Bill 473 (Stats. 2019, ch. 122),
http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB473

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number):
After recording return to:

TEL NO.: FAX NO.:
EMAIL ADDRESS:
ATTORNEY FOR (name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF
STREET ADDRESS:
MAILING ADDRESS:
CITY AND ZIP CODE:
BRANCH NAME:

FOR RECORDER'S USE ONLY

MATTER OF (name):

DECEDENT

CASE NUMBER:

AFFIDAVIT RE REAL PROPERTY OF SMALL VALUE
(\$55,425 or Less)

FOR COURT USE ONLY

DRAFT
Not approved by
the Judicial Council

1. Decedent (name):
died on (date):
2. Decedent died at (city, state):
3. At least **six months** have elapsed since the date of death of decedent as shown in the certified copy of decedent's death certificate attached to this affidavit. (Attach a certified copy of decedent's death certificate.)
4. a. Decedent was domiciled in this county at the time of death.
b. Decedent was **not** domiciled in California at the time of death. Decedent died owning real property in this county.
5. a. The **legal description** and the Assessor's Parcel Number (APN) of decedent's real property claimed by the declarant(s) are provided on an attached page labeled Attachment 5a, "Legal Description." (Copy legal description **exactly** from deed or other legal instrument.)
b. Decedent's interest in this real property is as follows (specify):
6. Each declarant is a successor of decedent (as defined in Probate Code section 13006) and a successor to decedent's interest in the real property described in item 5a, or signs this declaration on behalf of an entity that is a successor of decedent and to decedent's interest in the real property, and no other person or entity has a superior right, because each declarant or entity is:
 - a. (will) a beneficiary that succeeded to the property under decedent's will. (Attach a copy of the will.)
 - b. (no will) a person who succeeded to the property under Probate Code sections 6401 and 6402.
7. Names and addresses of each guardian or conservator of decedent's estate at date of death: none are as follows:*

<u>Names</u>	<u>Addresses</u>
--------------	------------------

(*You must mail [or serve, per Prob. Code, § 1216] a copy of this affidavit and all attachments to each guardian or conservator listed above. You may use Judicial Council form POS-030 for a proof of mailing or form POS-020 for a proof of personal service.)

8. The **gross value** of decedent's interest in all real property located in California as shown by the attached *Inventory and Appraisal*—excluding the real property described in Probate Code section 13050 (property held in joint tenancy or as a life estate or other interest terminable upon decedent's death, property passing to decedent's spouse, property in a trust revocable by the decedent, etc.)—did not exceed **\$55,425** as of the date of decedent's death.

MATTER OF (Name):	CASE NUMBER:
DECEDENT	

- 9. An *Inventory and Appraisal* of all of decedent's interests in **real property** in California is attached. The appraisal was made by a probate referee appointed for the county in which the property is located. *(You must prepare the Inventory on Judicial Council forms DE-160 and DE-161. You may select any probate referee appointed for the county for the appraisal. The California State Controller's Office has a list of all probate referees, shown by county on its website, and each court has a list of probate referees appointed for its county. Check with the probate referee you select or consult an attorney for help in preparing the Inventory.)*
- 10. No proceeding is now being or has been conducted in California for administration of decedent's estate.
- 11. Funeral expenses, expenses of last illness, and all known unsecured debts of the decedent have been paid. *(NOTE: You may be personally liable for decedent's unsecured debts up to the fair market value of the real property and any income you receive from it.)*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME)*

▶

(SIGNATURE OF DECLARANT)

Date: _____

(TYPE OR PRINT NAME)*

▶

(SIGNATURE OF DECLARANT)

SIGNATURE OF ADDITIONAL DECLARANTS ATTACHED

*** A declarant claiming on behalf of a trust or other entity should also state the name of the entity that is a beneficiary under the decedent's will, and declarant's capacity to sign on behalf of the entity (e.g., trustee, Chief Executive Officer, etc.).**

NOTARY ACKNOWLEDGMENT *(NOTE: No notary acknowledgment may be affixed as a rider (small strip) to this page. If additional notary acknowledgments are required, they must be attached as 8-1/2-by-11-inch pages.)*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA, COUNTY OF *(specify):* _____

On *(date):* _____, before me *(name and title):* _____

personally appeared *(name(s)):* _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the instrument in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SIGNATURE OF NOTARY PUBLIC)

(NOTARY SEAL)

(SEAL)

CLERK'S CERTIFICATE

I certify that the foregoing, including any attached notary acknowledgments and any attached legal description of the property (but excluding other attachments), is a true and correct copy of the original affidavit on file in my office. *(Certified copies of this affidavit do not include the (1) death certificate, (2) will, or (3) inventory and appraisal. See Probate Code section 13202.)*

Date: _____ Clerk, by _____, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
MATTER OF (name): <div style="text-align: right;">DECEDENT</div>	CASE NUMBER:
PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY <input type="checkbox"/> and Personal Property (Estates of \$166,250 or Less)	HEARING DATE AND TIME: DEPT.:

1. Petitioner (name of each person claiming an interest):

requests a determination that the real property and personal property described in item 11 is property passing to petitioner and that no administration of decedent's estate is necessary.

2. Decedent (name):

a. Date of death:

b. Place of death (city and state or, if outside the United States, city and country):

3. At least 40 days have elapsed since the date of decedent's death.

4. a. Decedent was a resident of this county at the time of death.

b. Decedent was **not** a resident of California at the time of death. Decedent died owning property in this county.

5. Decedent died intestate testate and a copy of the will and any codicil is affixed as Attachment 5 or 12a.

6. a. No proceeding for the administration of decedent's estate is being conducted or has been conducted in California.

b. Decedent's personal representative's consent to use the procedure provided by Probate Code section 13150 et seq. is attached as Attachment 6b.

7. Proceedings for the administration of decedent's estate in another jurisdiction: a. Have **not** been commenced.

b. Have been commenced and completed. (Specify state, county, court, and case number):

8. The **gross value** of decedent's interest in real and personal property located in California as shown by the *Inventory and Appraisal* attached to this petition—excluding the property described in Probate Code section 13050 (property held in joint tenancy or as a life estate or other interest terminable upon decedent's death, property passing to decedent's spouse, property in a trust revocable by decedent, etc.)—did not exceed **\$166,250** as of the date of decedent's death. (Prepare and attach an *Inventory and Appraisal as Attachment 8* (use Judicial Council forms DE-160 and DE-161 for this purpose). A probate referee appointed for the county named above must appraise all real property and all personal property other than cash or its equivalent. See Prob. Code, §§ 8901, 8902.)

9. a. Decedent is survived by (check items (1) or (2), and (3) or (4), and (5) or (6), and (7) or (8))

(1) spouse

(2) no spouse as follows: (a) divorced or never married (b) spouse deceased

(3) registered domestic partner

(4) no registered domestic partner (See Fam. Code, § 297.5(c); Prob. Code, §§ 37(b), 6401(c), and 6402.)

(5) child as follows: (a) natural or adopted (b) natural adopted by a third party

(6) no child

(7) issue of a predeceased child

(8) no issue of a predeceased child

b. Decedent is is not survived by a stepchild or foster child or children who would have been adopted by decedent but for a legal barrier. (See Prob. Code, § 6454.)

MATTER OF (name):	CASE NUMBER:
DECEDENT	

10. Decedent is survived by (complete if decedent was survived by (1) a spouse or registered domestic partner described in Prob. Code, § 37 but no issue (only a or b apply); or (2) no spouse or registered domestic partner described in Prob. Code, § 37, or issue. Check the **first** box that applies.):
- a. A parent or parents who are listed in item 14.
 - b. A brother, sister, or issue of a deceased brother or sister, all of whom are listed in item 14.
 - c. Other heirs under Probate Code section 6400 et seq., all of whom are listed in item 14.
 - d. No known next of kin.
11. Attachment 11 contains (1) the **legal description** of decedent's real property and its Assessor's Parcel Number (APN) and a description of personal property in California passing to petitioner; (2) decedent's interest in the property; and, (3) if a petitioner's claim to the property is based on succession under Probate Code sections 6401 and 6402, facts that show the character of the property as community, separate, or quasi-community property.
12. Each petitioner is a successor of decedent (as defined in Probate Code section 13006) and a successor to decedent's interest in the real property and personal property described in item 11 because each petitioner is:
- a. (**will**) A beneficiary who succeeded to the property under decedent's will.¹
 - b. (**no will**) A person who succeeded to the property under Probate Code sections 6401 and 6402.
13. The specific property interest claimed by each petitioner in the real property and personal property is stated in Attachment 13 is as follows (specify):
14. The names, relationships to decedent, ages, and residence or mailing addresses so far as known to or reasonably ascertainable by petitioner of (1) all persons named or checked in items 1, 9, and 10; (2) all other heirs of decedent; and (3) all devisees of decedent (persons designated in the will to receive any property) are listed in Attachment 14.
15. The names and addresses of all persons named as executors in decedent's will are listed below are listed in Attachment 15 No executor is named. There is no will.
16. Petitioner is the trustee of a trust that is a devisee under decedent's will. The names and addresses of all persons interested in the trust, as determined in cases of future interests under paragraphs (1), (2), or (3) of subdivision (a) of Probate Code section 15804, are listed in Attachment 16.
17. Decedent's estate was under a guardianship conservatorship at decedent's death. The names and addresses of all persons serving as guardian or conservator are listed below are listed in Attachment 17.

18. Number of pages attached: _____

Date: _____

 (TYPE OR PRINT NAME OF ATTORNEY)

▶ _____
 (SIGNATURE OF ATTORNEY)*

* (Signature of all petitioners also required (Prob. Code, § 1020).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

 (TYPE OR PRINT NAME OF PETITIONER)

▶ _____
 (SIGNATURE OF PETITIONER) ²

 (TYPE OR PRINT NAME OF PETITIONER)

▶ _____
 (SIGNATURE OF PETITIONER) ²

SIGNATURE(S) OF ADDITIONAL PETITIONERS ATTACHED

¹ See Probate Code section 13152(c) for the requirement that a copy of the will be attached in certain instances. If required, include as Attachment 5 or 12a.
² Each person named in item 1 must sign.

PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY
(Estates of \$166,250 or Less)

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number):
After recording, return to:

TEL NO.: _____ FAX NO.: _____

EMAIL ADDRESS: _____

ATTORNEY FOR (name): _____

SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____

STREET ADDRESS: _____

MAILING ADDRESS: _____

CITY AND ZIP CODE: _____

BRANCH NAME: _____

FOR RECORDER'S USE ONLY

MATTER OF (name): _____

DECEDENT

CASE NUMBER: _____

ORDER DETERMINING SUCCESSION TO REAL PROPERTY
 And Personal Property
 (Estates of **\$166,250** or Less)

FOR COURT USE ONLY

DRAFT
Not approved by
the Judicial Council

1. Date of hearing: _____ Time: _____
 Dept./Room: _____
 Judicial Officer (name): _____

THE COURT FINDS

2. All notices required by law have been given.
3. Decedent died on (date):
 - a. a resident of the California county named above.
 - b. a nonresident of California and owned property in the county named above.
 - c. intestate. testate.
4. At least 40 days have elapsed since the date of decedent's death.
5. a. No proceeding for the administration of decedent's estate is being conducted or has been conducted in California.
 b. Decedent's personal representative has filed a consent to use the procedure provided in Probate Code section 13150 et seq.
6. The gross value of decedent's real and personal property in California, excluding property described in Probate Code section 13050, did not exceed **\$166,250** as of the date of decedent's death.
7. Each petitioner is a successor of decedent (as defined in Probate Code section 13006) and a successor to decedent's interest in the real and personal property described in item 9a because each petitioner is:
 - a. (will) a beneficiary who succeeded to the property under decedent's will.
 - b. (no will) a person who succeeded to the property under Probate Code sections 6401 and 6402.

THE COURT FURTHER FINDS AND ORDERS

8. No administration of decedent's estate is necessary in California.
9. a. The real and personal property described in Attachment 9a described as follows is property of decedent passing to each petitioner (give legal description of real property).

b. Each petitioner's name and specific property interest is stated in Attachment 9b. is as follows (specify):

10. Other orders are stated in Attachment 10.

11. Number of pages attached:

Date:

 JUDICIAL OFFICER
 SIGNATURE FOLLOWS LAST ATTACHMENT

Traffic Advisory Committee Annual Agenda¹—2020
Approved by RUPRO:

I. COMMITTEE INFORMATION

Chair:	Hon. Gail Dekreon
Lead Staff:	Jamie Schechter, Attorney, Criminal Justice Services Office
Committee's Charge/Membership: Rule 10.54 of the California Rules of Court states the charge of the Traffic Advisory Committee, which is to make recommendations to the Judicial Council for improving the administration of justice in the area of traffic procedure, practice, and case management and in other areas as set forth in the fish and game, boating, forestry, public utilities, parks and recreation, and business licensing bail schedules. The Traffic Advisory Committee currently has 13 members. The attached term of services chart provides the composition of the committee.	
Subcommittees/Working Groups²: None.	

¹ The annual agenda outlines the work a committee will focus on in the coming year and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

² California Rules of Court, rule 10.30(c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body's duties, subject to available resources, with the approval of its oversight committee.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ³	
1.	Revising Traffic Instructions and Citations (TR-INST, TR-100, TR-106, TR-108, TR-115, TR-120, TR-130, TR-135, TR-145)	Priority 2(b)⁴
<p>Project Summary⁵:</p> <p>Traffic citation forms fall within the purview of the Traffic Advisory Committee. The forms were last modified in 2015. Portions of the citation forms are confusing, and some sections are out of date. The Traffic Advisory Committee proposes to examine and begin revising citations using plain language and other updates.</p> <p>Status/Timeline: October 2020-2021.</p> <p>Fiscal Impact/Resources: Committee staff.</p> <p>Internal/External Stakeholders: Law enforcement agencies.</p> <p>AC Collaboration: Futures Traffic Working Group, Criminal Law Advisory Committee.</p>		

³ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁴ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

⁵ A key objective is a strategic aim, purpose, or “end of action” to be achieved for the coming year.

#	Ongoing Projects and Activities	
1.	<i>2021 Bail Schedules Revision</i>	<i>Priority 1</i>
<p><i>Project Summary:</i> The Traffic Advisory Committee is required to revise and update the Uniform Bail and Penalty Schedules annually to conform with new laws, as required by Penal Code section 1269b and California Rules of Court, rule 4.102. However, the current document should be modified to be easier for courts to use. Feedback from a survey sent to all courts regarding the Uniform Bail and Penalty Schedules was received in September 2019. The committee hopes to thoroughly retool the Uniform Bail and Penalties Schedule in 2020.</p> <p><i>Status/Timeline:</i> December 2020.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff.</p> <p><i>Internal/External Stakeholders:</i> N/A.</p> <p><i>AC Collaboration:</i> N/A.</p>		
2.	<i>Support Recommendations of the Futures Traffic Working Group for Civil Adjudication of Traffic Infractions</i>	<i>Priority 1</i>
<p><i>Project Summary:</i> The Chief Justice has directed the Futures Traffic Working Group to consider a proposal to implement and evaluate a civil model for adjudication of minor vehicle infractions. In addition, the working group was directed to explore, evaluate, and recommend options for online processing for all phases of traffic infractions. The Traffic Advisory Committee has supported the Futures Traffic Working Group in this effort. The committee will continue to support the recommendations from the Futures Traffic Working Group on necessary matters as appropriate.</p> <p><i>Status/Timeline:</i> Ongoing.</p> <p><i>Fiscal Impact/Resources:</i> Committee staff.</p> <p><i>Internal/External Stakeholders:</i> Law enforcement agencies, California District Attorneys Association, Court Executives Advisory Committee, advocacy groups.</p>		

#	Ongoing Projects and Activities	
	<i>AC Collaboration:</i> Futures Traffic Working Group.	
3.	<i>Review Pending and Enacted Legislation</i>	<i>Priority 1</i>
<p><i>Project Summary:</i> Review pending and enacted legislation that may have an impact on traffic court administration. Provide subject matter expertise on legislation, including fiscal impacts for the courts. Propose rules and forms necessary to comply with legislation or other directives.</p> <p><i>Status/Timeline:</i> Ongoing.</p> <p><i>Internal/External Stakeholders:</i> N/A.</p> <p><i>Fiscal Impact/Resources:</i> Committee Staff, Governmental Affairs.</p> <p><i>AC Collaboration:</i> N/A.</p>		
4	<i>Rules Modernization Project</i>	<i>Priority 1</i>
<p><i>Project Summary:</i> In collaboration with the Information Technology Advisory Committee (ITAC), identify and develop priorities for potential rule and statutory modifications so that the rules and statutes will be consistent with modern business practices (for example, consider electronic notification to replace mail, paying fines online, etc.). Review rules and statutes in a systematic manner and develop recommendations for comprehensive changes.</p> <p><i>Status/Timeline:</i> Ongoing.</p> <p><i>Internal/External Stakeholders:</i> N/A.</p> <p><i>AC Collaboration:</i> N/A.</p> <p><i>Fiscal Impact/Resources:</i> Committee Staff, ITAC.</p>		

#	Ongoing Projects and Activities	
5	<i>Traffic Bench Officer and Temporary Judge Training</i>	<i>Priority 1</i>
<p><i>Project Summary:</i> Provide advice as requested by the Center for Judicial Education and Research (CJER) with development of traffic training programs and materials for bench officers and temporary judges assigned to traffic proceedings.</p> <p><i>Status/Timeline:</i> Ongoing.</p> <p><i>Internal/External Stakeholders:</i> N/A.</p> <p><i>Fiscal Impact/Resources:</i> Committee Staff.</p> <p><i>AC Collaboration:</i> CJER Governing Committee.</p>		

III. LIST OF 2019 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	The committee updated the Uniform Bail and Penalties Schedule to be consistent with 2018 legislation, completed December 2018.
2.	The committee provided Government Affairs subject matter expertise on numerous pending traffic bills, including operational and fiscal impacts of proposed legislation, ongoing.
3.	The committee has supported the Futures Traffic Working Group, ongoing.