



JUDICIAL COUNCIL OF CALIFORNIA

RULES AND PROJECTS
COMMITTEE

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RULES AND PROJECTS COMMITTEE

MINUTES OF OPEN MEETING

Monday, October 28, 2019

4:00 - 5:00 p.m.

Conference Call Meeting

**Advisory Body
Members Present:**

Hon. Harry E. Hull, Jr. (Chair), Hon. Dalila C. Lyons (Vice-chair), Hon. Carin T. Fujisaki, Mr. Kevin Harrigan, Ms. Rachel W. Hill, Mr. Maxwell V. Pritt, and Hon. B. Tam Nomoto Schumann.

**Advisory Body
Members Absent:**

Hon. Ann C. Moorman

Others Present:

RUPRO staff: Michael Giden, Susan McMullan, and Benita Downs.

Committee staff: Sarah Fleischer-Ihn (**CLAC**), Nicole Giacinti (**Fam/Juv**), Tracy Kenny, (**Fam/Juv**), Eric Long, (**CACI**), Kara Portnow, (**CALCRIM**), Anne Ronan, (**CSCAC**), Jamie Schechter, (**Traffic**), Christy Simmons, (**Appellate**), and Corby Sturges, (**PMHAC**).

Advisory Committee Chairs: Hon. Jerilyn Borack, (**Fam/Juv**), Hon. J. Richard Couzens, (**CLAC**), Hon. Gail Dekreon, (**Traffic**), Hon. Ann I. Jones, (**CSCAC**), Hon. Louis R. Mauro, (**Appellate**), and Hon. Martin J. Tangeman, (**CACI**).

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 4:05 p.m., and took roll call.

I. DISCUSSION AND POSSIBLE ACTION ITEMS

CALIFORNIA CIVIL JURY INSTRUCTIONS (CACI)

Advisory Committee on Civil Jury Instructions Annual Agenda (Action required – RUPRO action only)

Action: *The Rules and Projects Committee approved the Civil Jury Instructions Annual Agenda.*

CALIFORNIA CRIMINAL JURY INSTRUCTIONS (CALCRIM)

Advisory Committee on Criminal Jury Instructions Annual Agenda (Action required – RUPRO action only)

Action: The Rules and Projects Committee approved the Criminal Jury Instructions Annual Agenda.

APPELLATE

Appellate Advisory Committee Annual Agenda (Action required – RUPRO action only)

Justice Fujisaki recommended current project #6 **Record retention in criminal appeals**; priority be changed from 2 to 1(e). This is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public.

Action: The Rules and Projects Committee approved the Appellate Advisory Committee's Annual Agenda with the above modification.

CIVIL AND SMALL CLAIMS (Items 06-08)

Civil and Small Claims Advisory Committee Annual Agenda (Action required – RUPRO action only)

Action: The Rules and Projects Committee approved the Civil and Small Claims Advisory Committee's Annual Agenda.

CRIMINAL

Criminal Law Advisory Committee Annual Agenda (Action required – RUPRO action only)

Action: The Rules and Projects Committee approved the Criminal Law Advisory Committee's Annual Agenda.

FAMILY and JUVENILE

Family and Juvenile Law Advisory Committee Annual Agenda (Action required – RUPRO action only)

Prior to the meeting, Ms. Hill contacted the committee's staff with questions and suggestions. Staff modified the agenda, making suggested changes that are technical in nature and necessary to correct inadvertent omissions and incorrect references.

Action: The Rules and Projects Committee approved the Family and Juvenile Law Advisory Committee's Annual Agenda as modified.

PROBATE AND MENTAL HEALTH ADVISORY COMMITTEE

Probate and Mental Health Advisory Committee Annual Agenda (Action required – RUPRO action only)

Staff informed the committee that current project #4 **Form for designating an emergency caregiver and nominating a guardian for a child; status/timeline** was changed from 2020 to 2021 because a new form is anticipated to take effect January 1, 2021.

Action: The Rules and Projects Committee approved the Probate and Mental Health Advisory Committee's Annual Agenda as modified.

Rules and Forms: Disposition of Small Estates (revise forms DE-305, DE-310, and DE-315) (Action required – recommend council action)

Action: The Rules and Projects Committee recommended approval on the Judicial Council's November 14, 2019, consent agenda.

TRAFFIC ADVISORY COMMITTEE

Traffic Advisory Committee Annual Agenda (Action required – RUPRO action only)

Action: The Rules and Projects Committee approved the Traffic Advisory Committee's Annual Agenda.

II. OTHER BUSINESS

Next RUPRO meeting- Thursday, December 12, 2019

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 4:55 p.m.

Approved by the advisory body on December 12, 2019.