



Judicial Council of California

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

www.courts.ca.gov/policyadmin-invitationstocomment.htm

INVITATION TO COMMENT

SPR25-04

Title

Rules and Forms: New Case Categories for
Civil Case Cover Sheet

Action Requested

Review and submit comments by May 23,
2025

Proposed Rules, Forms, Standards, or Statutes

Amend form CM-010

Proposed Effective Date

January 1, 2026

Proposed by

Civil and Small Claims Advisory Committee
Hon. Donald J. Proietti, Chair

Contact

Jeremy Varon, 415-865-7424
jeremy.varon@jud.ca.gov

Court Executives Advisory Committee
Mr. Darrel E. Parker, Chair

Paarth Malkan, 415-865-7588
paarth.malkan@jud.ca.gov

Executive Summary and Origin

The Civil and Small Claims Advisory Committee and Court Executives Advisory Committee jointly propose adding new case categories and case types to *Civil Case Cover Sheet* (form CM-010). The addition of the comprehensive groundwater adjudication case type is to be consistent with Code of Civil Procedure section 838(b) and the concurrent amendment to rule 3.400. The addition of the Asbestos and Employment Development Department (EDD) case categories will fulfill new data reporting requirements in an upcoming version of the Judicial Branch Statistical Information System (JBSIS) and eliminate manual data reporting by courts.

Background

Civil Case Cover Sheet (form CM-010) requires parties to select the case type that best describes the instant case. Case types are listed under 12 case categories.¹

One of these case categories is “Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403).” Code of Civil Procedure section 838 sets out requirements for certain

¹ For the purposes of this proposal, the categories on *Civil Case Cover Sheet* will be referred to as “case categories,” and the case types with checkboxes within the case categories will be referred to as “case types.”

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

actions relating to groundwater rights. Subdivision (b) of that section states: “A comprehensive adjudication is presumed to be a complex action under Rule 3.400 of the California Rules of Court.” However, such comprehensive groundwater adjudications are not currently listed under the provisionally complex civil litigation category on *Civil Case Cover Sheet*.

JBSIS is a system used to collect statistical information for each major case processing area of trial courts. The Court Executives Advisory Committee oversees JBSIS and periodically updates data reporting requirements to conform with changes in the law or to align reporting with workload models based on filings data. In July 2022, the Judicial Council approved the Court Executives Advisory Committee’s proposal² to update data reporting standards from JBSIS version 3.0 to the upcoming 4.0. The updates include adding Asbestos and EDD as new case types to the Civil Limited and Civil Unlimited reports.

Currently, *Civil Case Cover Sheet* includes “Asbestos” as a case type under the “Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort” case category, and EDD cases fall under the “Other employment” case type within the “Employment” case category. However, JBSIS does not capture those specific data points because it maps to the case categories from form CM-010, not the case types. Given this limitation, Judicial Council staff manually collects this data annually from courts for use in the Resource Assessment Study and the Judicial Needs Assessment.

The Proposal

The Civil and Small Claims Advisory Committee and Court Executives Advisory Committee propose the addition of two new case categories and three new case types to *Civil Case Cover Sheet* (form CM-010) both to ensure consistent data reporting standards across *Civil Case Cover Sheet* and JBSIS 4.0 and to conform the rule to statute. Additionally, some minor technical changes were made as indicated in highlights on the attachment.

Comprehensive groundwater adjudication

As indicated above, one case category on *Civil Case Cover Sheet* is “Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403).” The case types listed in this case category reflect the types of cases that receive a provisional designation of complex under rule 3.400(c). As also indicated above, Code of Civil Procedure section 838 provides that comprehensive groundwater adjudications are presumed to be complex under rule 3.400.

Accordingly, the Civil and Small Claims Advisory Committee is separately proposing amending rule 3.400(c) to reflect this change in the law by adding comprehensive groundwater adjudication to the list of case types in that rule that are provisionally designated as complex.³ Consistent with

² Judicial Council of Cal., Advisory Com. Rep., *Judicial Branch: Revisions to the Judicial Branch Statistical Information System (JBSIS)* (June 24, 2022), <https://jcc.legistar.com/View>.

³ See SPR25-03, *Rules and Forms: Comprehensive Adjudications of Groundwater Rights*, <https://courts.ca.gov/policy-administration/invitations-comment>.

that proposal, the committees propose revising *Civil Case Cover Sheet* to reflect the provisional designation of such cases as complex.

Asbestos and Employment Development Department

The Court Executives Advisory Committee recommends adding Asbestos and EDD as distinct case categories on *Civil Case Cover Sheet*. This will enable JBSIS 4.0 to collect these data points and eliminate the need for additional manual data reporting by court staff.

The addition of these new case categories would also require case-type checkboxes for each case category to maintain consistent formatting within *Civil Case Cover Sheet*. The case type for the EDD case category is “EDD decision review,” and the asbestos case type is “Asbestos.” Although the asbestos case category and case type share the same title, the form already employs this nomenclature for the “Enforcement of Judgment” case category, which shares a title with its case type. Accordingly, the committees propose revising *Civil Case Cover Sheet* to add “Asbestos” and “Employment Development Department (EDD)” as separate case categories, add “Asbestos” and “EDD decision review” as case types under the respective case category, and remove the “Asbestos” case type from the “Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort” case category.

Number code corresponding to case type

Next to each case type on *Civil Case Cover Sheet*, there is a corresponding parenthetical two-digit numerical code from 01 to 46. It appears that these numbers originated from a 1996 version of the form (then titled form 982.2) in which case types were listed in alphabetical order with a preceding number from 01 to 34. In that version of the form, parties were instructed to write the corresponding number in a box at the top of the section instead of checking a box next to the selected case type, as the current form instructs. In subsequent versions of the form, the case types were rearranged by subject matter, but the corresponding number was maintained from the original form. Although JBSIS does not use these numerical codes, some individual courts use them internally.

In 2003, the council adopted a new case type on *Civil Case Cover Sheet* for uninsured motorist cases.⁴ This case type was given the next-in-line number, 46.⁵ To conform with this practice, the Civil and Small Claims Advisory Committee and the Court Executives Advisory Committee propose that the comprehensive groundwater adjudication case type be assigned number 47, the asbestos case type retain its assigned number 04, and the Employment Development Department case type be assigned number 48.

⁴ Judicial Council of Cal., Advisory Com. Rep., *Civil Case Cover Sheet* (Apr. 2, 2003).

⁵ *Ibid.*

Alternatives Considered

Because the additions to *Civil Case Cover Sheet* are required for the form to serve its purpose of accurately reporting case types and to streamline data reporting under the new standard, the committees did not consider the alternative of no form amendment.

Fiscal and Operational Impacts

The committees anticipate that this proposal could require training for court staff and judicial officers, but any such training would already have been required to implement the statutory requirement that comprehensive groundwater adjudications be presumed complex under rule 3.400. The addition of the asbestos and EDD case categories would eliminate the need for manual data reporting by court staff, reducing operational demands.

Additionally, amendment of *Civil Case Cover Sheet* would require coordination between the Judicial Council, the courts, and case management system (CMS) vendors to ensure that the new case categories are correctly mapped in the CMS and the new case categories are configured in Judicial Council data reporting. Any changes required in the CMS for asbestos and EDD data reporting would be integrated into the implementation of JBSIS 4.0. Courts will likely incur costs to incorporate the revised forms into paper or electronic processes.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committees are interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- Does any court or justice partner use the parenthetical number next to each case category?

The advisory committees also seek comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Form CM-010, at pages 6–8

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council 2025-03-07
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CASE NAME:		
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$35,000)	<input type="checkbox"/> Limited (Amount demanded is \$35,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
		CASE NUMBER:
		JUDGE: DEPT.:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

<p>Auto Tort</p> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <p>Asbestos</p> <input type="checkbox"/> Asbestos (04) <p>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</p> <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <p>Non-PI/PD/WD (Other) Tort</p> <input type="checkbox"/> Business tort/Unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <p>Employment</p> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<p>Contract</p> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <p>Real Property</p> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <p>Unlawful Detainer</p> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <p>Judicial Review</p> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39) <p>Employment Development Department (EDD)</p> <input type="checkbox"/> EDD decision review (48)	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)</p> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Comprehensive groundwater adjudication (47) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <p>Enforcement of Judgment</p> <input type="checkbox"/> Enforcement of judgment (20) <p>Miscellaneous Civil Complaint</p> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <p>Miscellaneous Civil Petition</p> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	--	---

2. Is this case complex under rule 3.400 of the California Rules of Court? Yes No

If the case is complex, mark the factors requiring exceptional judicial management:

- a. Large number of separately represented parties
- b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- c. Substantial amount of documentary evidence
- d. Large number of witnesses
- e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- f. Substantial postjudgment judicial supervision

3. Remedies sought (*check all that apply*):

- a. monetary
- b. nonmonetary; declaratory or injunctive relief
- c. punitive

4. Number of causes of action (*specify*):

5. Is this case a class action suit? Yes No

6. If there are any known related cases, file and serve a notice of related case. (*You may use form CM-015.*)

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 of the California Rules of Court or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 of the California Rules of Court is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)–Personal Injury/Property Damage/
Wrongful Death
Uninsured Motorist (46) *(if the case involves
an uninsured motorist claim subject to
arbitration, check this item instead of Auto)*

Asbestos

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death

Other PI/PD/WD (Personal Injury/**Property Damage/Wrongful Death) Tort**

Product Liability *(not asbestos or toxic/
environmental)* (24)
Medical Malpractice (45)
Medical Malpractice–Physicians &
Surgeons
Other Professional Health Care
Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g.,
assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest)
(not civil harassment) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice *(not
medical or legal)*
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease Contract *(not
unlawful detainer or wrongful eviction)*
Contract/Warranty Breach–Seller Plaintiff
(not fraud or negligence)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book
accounts) (09)
Collections Case–Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage *(not provisionally
complex)* (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property *(not eminent
domain, landlord-tenant, or
foreclosure)*

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) *(if the case involves illegal drugs,
check this item; otherwise, report as
Commercial or Residential)*

Judicial Review

Asset Forfeiture (05)
Petition re Arbitration Award (11)
Writ of Mandate (02)
Writ–Administrative Mandamus
Writ–Mandamus on Limited Court Case
Matter
Writ–Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal–Labor Commissioner
Appeals

Employment Development Department (EDD)

EDD Decision Review (48) *(if the case
involves an Employment Development
Department decision, check this item
instead of Wrongful Termination or Other
Employment)*

Provisionally Complex Civil Litigation (Cal.**Rules of Court, rules 3.400–3.403)**

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Comprehensive Groundwater Adjudication
(47)
Insurance Coverage Claims *(arising from
provisionally complex case type listed
above)* (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment *(non-domestic
relations)*
Sister-State Judgment
Administrative Agency Award *(not unpaid
taxes)*
Petition/Certification of Entry of Judgment
on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint *(not specified above)* (42)
Declaratory Relief Only Injunctive Relief
Only *(non-harassment)*
Mechanic's Lien
Other Commercial Complaint Case *(non-
tort/non-complex)*
Other Civil Complaint *(non-tort/non-
complex)*

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition *(not specified above)* (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition