



Judicial Council of California

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INVITATION TO COMMENT

W26-01

Title

Civil Practice and Procedure: Revise Civil
Case Cover Sheet

Action Requested

Review and submit comments by January 7,
2026

Proposed Rules, Forms, Standards, or Statutes

Revise form CM-010

Proposed Effective Date

July 1, 2026

Proposed by

Civil and Small Claims Advisory Committee
Hon. Samantha P. Jessner, Chair

Contact

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Executive Summary and Origin

The Civil and Small Claims Advisory Committee proposes revising *Civil Case Cover Sheet* (form CM-010) to add a case type for Song-Beverly Act motor vehicle lemon law cases. Judicial officers and court executive officers at several courts have requested this revision to address recent significant increases in the number of Song-Beverly Act motor vehicle case filings. The proposed form revision will allow courts and the branch to more easily and effectively collect data about the number of these cases being filed and the court resources they require. The committee also proposes revising page 3 of the form to add introductory text, use consistent terminology, and clarify the meaning of several items.

The Proposal

Song-Beverly Act checkbox

The Civil and Small Claims Advisory Committee proposes revising *Civil Case Cover Sheet* (form CM-010) to add a case type checkbox for Song-Beverly Act cases involving motor vehicles. The Song-Beverly Consumer Warranty Act creates requirements for warranties on

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 It is circulated for comment purposes only.

consumer goods.¹ The Act’s protections for purchasers of new motor vehicles are often referred to as California’s motor vehicle “lemon law.”²

Judicial officers and court executive officers at several courts have informed the committee that in recent months they have seen a significant increase in the number of Song-Beverly Act motor vehicle lemon law cases filed, which has strained court resources because these cases often involve significant motion practice and numerous hearings. Adding a case type checkbox for these cases to form CM-010 would allow courts and the branch to more easily and effectively collect data about the number of these cases being filed and the court resources they require.

Accordingly, the committee proposes adding a “Song-Beverly Act: Motor Vehicle Lemon Law” case type checkbox to the “Contract” category on page 1 of form CM-010. Although Song-Beverly Act claims are distinct from contract claims, the committee determined that the contract category is the most appropriate place for the new case type. On the current version of the form, Song-Beverly Act cases typically choose the “breach of contract/warranty” subtype in the Contract category, so placing the new case type in the same category should help form users find it.

The committee proposes including “Motor Vehicle Lemon Law” in the case type name because the Song-Beverly Act applies to many types of consumer goods, but the Song-Beverly case type on form CM-010 is intended only for tracking Song-Beverly Act cases involving lemon law claims for motor vehicles.

The committee intends for form users to select the Song-Beverly Act case type for any case that includes a Song-Beverly Act motor vehicle lemon law claim, even if the case includes additional claims. Thus, in the list of case types on page 3 of the form, the committee proposes including an explanatory parenthetical for the Song-Beverly Act case type that states: “check this item if the case involves a Song-Beverly Act claim regarding a motor vehicle.” The committee asks for specific comments on whether the explanatory parenthetical sufficiently conveys this intention.

Other revisions

In addition to adding a Song-Beverly Act case type, the committee proposes adding introductory text and revising several items on page 3 of form CM-010 to clarify their meaning. Specifically, the committee proposes:

- In the “Other PI/PD/WD Tort” category, revising the explanatory parenthetical for “Product Liability” to change “toxic/environmental” to “environmental/toxic tort” in order to match the name of the corresponding case type on the form.

¹ Cal. Civ. Code, §§ 1790–1795.8.

² The Song-Beverly Act contains several provisions specific to motor vehicles, such as Civil Code sections 1793.22 through 1793.26.

- In the “Non-PI/PD/WD (Other) Tort” category, revising “Fraud” to add “(not contractual fraud)” because contractual fraud is listed as a subtype under “Other Contract.”
- In the “Non-PI/PD/WD (Other) Tort” category, revising the explanatory parenthetical under “Professional Negligence” for “Other Professional Malpractice” to change “not legal or medical” to “not medical malpractice.” Form users must select the Professional Negligence case type for both legal malpractice and other professional malpractice, so for purposes of this form, it does not matter whether the latter excludes the former.
- In the “Contract” category, deleting “or negligence” from the explanatory parenthetical for “Contract/Warranty Breach—Seller Plaintiff.” Form users must select the “Breach of Contract/Warranty” checkbox for both Contract/Warranty Breach—Seller Plaintiff and Negligent Breach of Contract/Warranty, so for purposes of this form, it does not matter whether the former excludes the latter.
- In the “Contract” category, adding “Rule 3.740 Collections (as defined in Cal. Rules of Court, rule 3.740(a)) (09)” and changing “Collections” to “Other Collections” to correspond with the case types listed on page 1 of the form and moving the existing examples of collections cases into the explanatory parenthetical for Other Collections.
- In the “Real Property” category, changing the explanatory parenthetical for “Other Real Property” from “not eminent domain, landlord-tenant, or foreclosure” to “not unlawful detainer.” Foreclosure does not need to be included because it is already listed as a separate example of Other Real Property. Eminent domain does not need to be included because by definition, Other Real Property excludes the other case types in the Real Property category. “Landlord-tenant” should be changed to “unlawful detainer” to match the name of the corresponding category.
- In the “Provisionally Complex Civil Litigation” category, changing “Claims Involving Mass Tort” to “Mass Tort” to match the name of the corresponding case type on page 1.
- In the “Enforcement of Judgment” category, deleting the “not unpaid taxes” parenthetical from “Administrative Agency Award.” Form users must select the Enforcement of Judgment case type for both administrative agency awards and petitions for entry of judgment on unpaid taxes, so for purposes of this form, it does not matter whether the former excludes the latter.
- In the “Miscellaneous Civil Petition” category, changing “Petition for Relief From Late Claim” to “Petition for Relief From Government Claim Requirement” to more accurately describe this case type.

Alternatives Considered

The committee considered the alternative of taking no action but determined that the proposal was warranted because of the benefits it would provide to courts and court users. In particular,

the proposal would benefit courts by allowing them to more effectively collect data about, and allocate resources toward, Song-Beverly Act cases involving motor vehicles.

Fiscal and Operational Impacts

The committee anticipates that this proposal will provide an operational benefit to courts because it will allow them to more effectively collect data about Song-Beverly Act cases involving motor vehicles. The form revisions will require coordination between courts and case management system (CMS) vendors to ensure that the new case category is correctly mapped in each court's CMS. Courts will likely incur costs to incorporate the revised form into paper or electronic processes, and the revised form may require education or training for court staff and judicial officers.

Request for Specific Comments

In addition to comments on the proposal as a whole, the committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?
- The committee intends for form users to check the Song-Beverly Act checkbox for any case that includes a Song-Beverly Act motor vehicle lemon law claim, even if the case includes additional claims. In the list of case types on page 3 of the form, is this intention clearly conveyed by the explanatory parenthetical for the Song-Beverly Act case type?

The committee also seeks 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 5–7

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT 11/04/2025 Not approved by the Judicial Council
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:

Auto Tort

- ☐ Auto (22)
☐ Uninsured motorist (46)

Asbestos

- ☐ Asbestos (04)

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

- ☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

- ☐ Business tort/Unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

- ☐ Wrongful termination (36)
☐ Other employment (15)

Contract

- ☐ Breach of contract/warranty (06)
☐ Song-Beverly Act: Motor Vehicle Lemon Law (49)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

- ☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

- ☐ Commercial (31)
☐ Residential (32)
☐ Drugs (38)

Judicial Review

- ☐ Asset forfeiture (05)
☐ Petition re arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Employment Development Department (EDD)

- ☐ EDD decision review (48)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.404)

- ☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Comprehensive groundwater adjudication (47)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

- ☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint

- ☐ RICO (27)
☐ Other complaint (*not specified above*) (42)

Miscellaneous Civil Petition

- ☐ Partnership and corporate governance (21)
☐ 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 pages 1 and 2. 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 on **page 3 of this form**. 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 \$35,000, 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.

SEE PAGE 3 FOR INFORMATION PURPOSES ONLY.



CASE TYPES AND EXAMPLES

The list below provides explanations and examples for the case type checkboxes listed in item 1 on this form. The lists of examples below are not meant to be exhaustive, and some case types may have more examples than those listed here.

Auto Tort

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

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
environmental/toxic tort*) (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 (*not contractual fraud*) (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice
(*not medical malpractice*)
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*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Song-Beverly Act: Motor Vehicle Lemon Law
(*check this item if the case involves a Song-
Beverly Act claim regarding a motor
vehicle*) (49)
Rule 3.740 Collections (*as defined in Cal.
Rules of Court, rule 3.740(a)*) (09)
Other Collections (e.g., money owed, open
book accounts, promissory note) (09)
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 unlawful
detainer*) (38)

Unlawful Detainer

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

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 (*if the case involves an
Employment Development Department
decision, check this item instead of
wrongful termination or other employment*)
(48)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.404)

Antitrust/Trade Regulation (03)
Construction Defect (10)
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
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 Government
Claim Requirement
Other Civil Petition