



Judicial Council of California

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<https://courts.ca.gov/policy-administration/invitations-comment>

INVITATION TO COMMENT

W26-07

Title	Action Requested
Juvenile Law: Update to Racial Justice Act Forms	Review and submit comments by January 7, 2026
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Revise forms JV-720 and JV-720-INFO	July 1, 2026
Proposed by	Contact
Family and Juvenile Law Advisory Committee Hon. Tari L. Cody, Cochair Hon. Stephanie E. Hulsey, Cochair	Tony Cheng, 415-865-4268 tony.cheng@jud.ca.gov

Executive Summary and Origin

Assembly Bill 1071 (Kalra; Stats. 2025, ch. 721) amended provisions of the Racial Justice Act by, among other changes, adding a service requirement to Penal Code section 745. In cases involving represented applicants who allege a violation of the act by law enforcement, counsel for the applicant must now serve a copy of the petition on the law enforcement agency that employed the officer. The Family and Juvenile Law Advisory Committee proposes revising two forms to implement AB 1071 in juvenile court and to make clarifying nonsubstantive changes.

Background

The Racial Justice Act of 2020 (Assem. Bill 2542 (Kalra); Stats. 2020, ch. 317) prohibits the state from seeking or obtaining a criminal conviction or sentence on the basis of race, ethnicity, or national origin. The act also applies to wardship adjudications (the equivalent of a conviction) and dispositions (the equivalent of a sentence) in juvenile court and to motions to transfer a juvenile case to adult criminal court. (Pen. Code, § 745(f).)¹ The act, which added section 745 and amended sections 1473 and 1473.7, enables individuals to file claims for relief based on violations of its provisions. (§ 745(a)(1)–(4).) If a claim under the act is sustained, a juvenile

¹ Unless otherwise specified, all further statutory references are to the Penal Code.

court may grant relief that the court finds appropriate. (§ 745(e)(1), (2).) When initially enacted, the act applied prospectively to all cases in which judgment had not yet become final as of January 1, 2021.

The Racial Justice for All Act (Assem. Bill 256 (Kalra); Stats. 2022, ch. 739) subsequently authorized the retroactive application of the act in certain cases. In juvenile cases, an individual facing actual or potential immigration consequences may now file a claim regardless of when their judgment became final. (§ 745(j)(2).) As of January 1, 2026, individuals with a juvenile case that resulted in a commitment to the Division of Juvenile Justice² may also file a claim, regardless of when the judgment or disposition became final. (§ 745(j)(5).) Section 745 was subsequently amended effective January 1, 2024, to allow an individual to raise a claim under the act for the first time on direct appeal. (Assem. Bill 1118 (Kalra); Stats. 2023, ch. 464.) An individual may also now move to stay an appeal and request remand to the trial court to file a claim under the act. (§ 745(b).)

To implement the act in juvenile cases, the Family and Juvenile Law Advisory Committee recommended five new forms for optional use for claims in juvenile court under the act, which the Judicial Council approved.³ These forms will become effective on January 1, 2026.

Also effective January 1, 2026, AB 1071 imposes a service requirement in cases in which a represented applicant alleges a violation of the RJA by a law enforcement officer. (§ 745(c)(3).) In such cases, counsel for the applicant must serve a copy of the petition on the law enforcement officer's agency. Section 745(c)(3) provides that:

If the defendant is represented by an attorney and the motion alleges a violation of paragraph (1) or (2) of subdivision (a), based in whole or in part on the conduct of one or more law enforcement officers, the attorney shall serve a copy of the motion on the law enforcement agency or agencies that employed the officer or officers.

The Proposal

To implement AB 1071 and to improve clarity and readability⁴, the Family and Juvenile Law Advisory Committee proposes revisions to two of the new forms: *Request for Relief Under the Racial Justice Act—Juvenile Adjudication* (form JV-720) and *The Racial Justice Act in Juvenile Court* (form JV-720-INFO). Other amendments made by AB 1071 do not impact other existing

² All Division of Juvenile Justice facilities were ordered closed as of July 1, 2023 (Sen. Bill 823; Stats. 2020, ch. 337).

³ Judicial Council of Cal., Advisory Com. Rep., *Juvenile Law: Racial Justice Act Forms* (Oct. 10, 2025), jcc.legistar.com/View.ashx?M=F&ID=14856297&GUID=EB43CC6D-0EDE-412C-B2B5-51423E64139D.

⁴ In order to make Judicial Council forms more user friendly, updates have been made to formatting across all forms. These changes include the font style of information in the footers, the shape of checkboxes, and other minor, nonsubstantive edits.

RJA forms for juvenile cases, and thus the committee does not propose revisions to them.⁵ The proposed changes are described below.

Request for Relief Under the Racial Justice Act—Juvenile Adjudication (form JV-720)

Form JV-720 is an optional form to request relief from a juvenile court based on a violation of the act in either pending or closed juvenile court cases. To implement AB 1071, the committee proposes the addition of item 4c to the form. In item 4c, the applicant would be asked to answer either yes or no to the question “Are you asking for this request based on something a law enforcement officer did, said, or wrote?” The “yes” answer would further state “*(If yes, and you have an attorney, your attorney must send a copy of this form to the agency that employed the officer. If you do not have an attorney, you do **not** have to send a copy of this form to the officer’s employer.)*.”

As the committee is concerned that the process for seeking relief may be confusing to nonattorneys, in addition to the substantive changes needed to implement AB 1071, the committee proposes minor revisions to three items to improve clarity and readability:

- For items 2 and 6, rephrasing them to pose yes/no questions; and
- For item 5, adding information about when disclosure of evidence may be relevant, including providing examples of potentially relevant evidence.⁶

The Racial Justice Act in Juvenile Court (form JV-720-INFO)

Form JV-720-INFO is an information sheet to supplement form JV-720. Form JV-720-INFO includes background information about the act and explains how and when a claim under the act may be filed and what happens after a claim is filed.

To implement AB 1071, the committee proposes including information about the new service requirement under “How do I file an RJA request?” on page 2, item 4:

If you have an attorney, and your request is based on something a law enforcement officer did, said, or wrote, your attorney must send ("serve") a copy of this form to the agency that employed the officer."

The committee also proposes the following changes to improve clarity and readability:

- On page 1, change the heading “Who can file a request under the RJA?” to “Who can file a request under the RJA in juvenile court?”

⁵ There are no corresponding rules of court associated with the juvenile Racial Justice Act forms.

⁶ The approved version of form JV-720-INFO contains similar instructions.

- Move information about filing in adult criminal court from page 2 to page 1 and add a new heading, “What if my last court date was in adult criminal court?”
- On page 2, remove the step-by-step instructions on how to fill out form JV-720, which are already outlined in form JV-720.
- On page 2, in the section titled “How do I file an RJA request?”, add information about making copies of the request before filing, and reformat the section into a step-by-step process.

Alternatives Considered

The committee considered taking no action but rejected this option because without the proposed revision, form JV-720 would not reference the new mandatory service requirement. The committee also considered not adding an additional question to page 2 of form JV-720, instead adding information about the service requirement implemented by AB 1071 on page 1 of the form. On page 1, there is currently a box titled “Instructions—Read Carefully.” The box contains five bullet points. The fifth bullet point currently states:

The court will serve this form for you on the district attorney, the probation department, and your current attorney. If your current attorney completed this form, your current attorney must serve the form.

The committee considered adding another sentence to the end of this bullet point:

If the basis for your Racial Justice Act violation is something a law enforcement officer did, said, or wrote, your current attorney must also serve the form on the law enforcement agency that employed the officer.

The committee ultimately rejected this option because the committee had concerns that the information would be overlooked. The committee felt that the addition of a separate question to form JV-720 would make it less likely that the advisal would be missed.

The committee also considered not making additional technical changes to forms JV-720 and JV-720-INFO. The committee rejected this option because the proposed changes improve the readability and usability of both forms.

Fiscal and Operational Impacts

Fiscal and operational impacts are likely to be minor, as the proposal is limited to minor changes on two optional forms. Expected costs include training, case management system updates, and the production of new forms.

Request for Specific Comments

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

- Does the proposal appropriately address the stated purpose?
- Would retaining any of the existing step-by-step instructions on how to fill out form JV-720 (first column on page 2 of form JV-720-INFO) be preferable to removing them?

The advisory 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. Forms JV-720 and JV-720-INFO, at pages 6–10
2. Link A: Pen. Code, § 745,
leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=745&lawCode=PEN

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 Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
REQUEST FOR RELIEF UNDER THE RACIAL JUSTICE ACT—JUVENILE ADJUDICATION	CASE NUMBER:
<p style="text-align: center;">Instructions—Read Carefully</p> <ul style="list-style-type: none"> Use this form if you are going or went to court because you allegedly committed an offense when you were under the age of 18 and you believe your case was affected by discrimination on the basis of race, ethnicity, or national origin. For more information about the Racial Justice Act and how to make this request, see <i>The Racial Justice Act in Juvenile Court</i> (form JV-720-INFO). If this form asks for information that you do not have, contact your attorney. If you don't have an attorney, the public defender's office in the county where you went to court may be able to help you get the information. File this form in the county where you are going or last went to court for your case. The court will serve this form for you on the district attorney, the probation department, and your current attorney. If your current attorney completed this form, your current attorney must serve the form. 	

1. Eligibility

I am eligible to file this request because (*check all that apply*):

- a. ☐ My juvenile court case is still pending, I am currently on juvenile probation, or I am in custody or placement because of a juvenile delinquency case.
- b. ☐ My juvenile court case may affect my immigration status (including Deferred Action for Childhood Arrivals (DACA), asylum, visa or green card application, removal, or potential deportation).
- c. ☐ I was committed to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ) or the California Youth Authority (CYA) based on this case.

2. Appointment of counsel

Are you asking the court to appoint an attorney to represent you?

- ☐ No
- ☐ Yes



CASE NAME:

CASE NUMBER:

3. Basis for violation

I believe the Racial Justice Act was violated because *(check all that apply, then provide details in item 4):*

- a. ☐ The judge, an attorney, a law enforcement officer, or an expert witness in the case exhibited bias or animus towards me because of my race, ethnicity, or national origin.
- b. ☐ During in-court trial proceedings, the judge, an attorney, a law enforcement officer, or an expert witness used discriminatory language about my race, ethnicity, or national origin. (Racially discriminatory language does not include repeating language used by someone else that is relevant to the case or giving a racially neutral and unbiased physical description of a suspect.)
- c. ☐ I was charged with or found responsible for a more serious offense than people of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated, **and** the prosecution more frequently sought or obtained adjudications (convictions) for serious offenses against people who share my race, ethnicity, or national origin in the county where the adjudications (convictions) were sought or obtained.
- d. ☐ I received a longer or more severe disposition (sentence) compared to similarly situated individuals for the same offense, **and** (check all that apply):
- (1) ☐ Longer or more severe dispositions (sentences) were more frequently imposed for the same offense on people who share my race, ethnicity, or national origin than on people of other races, ethnicities, or national origins in the county in which this case occurred.
 - (2) ☐ Longer or more severe dispositions (sentences) were more frequently imposed for the same offense on people in cases with victims of one race, ethnicity, or national origin than in cases with victims of other races, ethnicities, or national origins in the county in which this case occurred.

4. Supporting facts

- a. Describe what happened to the best of your knowledge. You are not expected to have access to all facts or evidence at this time. After the court appoints counsel or grants discovery, you will have an opportunity to amend this statement of facts. *(You may attach declarations, records, or other documents if available, but you are not required to in order to submit this form. You may use form [MC-025](#), titled as Attachment 4a, for any additional pages.)*

☐ Additional documents attached.

- b. Are you asking for this request based on something a judge did, said, or wrote?

☐ No

☐ Yes *(If yes, write the judge's name below. Note: a different judge will hear this request.)*

Judge's name: _____

- c. Are you asking for this request based on something a law enforcement officer did, said, or wrote?

☐ No

☐ Yes *(If yes, and you have an attorney, your attorney must send a copy of this form to the agency that employed the officer. If you do not have an attorney, you do **not** have to send a copy of this form to the officer's employer.)*



CASE NAME:	CASE NUMBER:
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5. Disclosure of evidence

(You may ask for records or information that can be used to support your request. Examples might include a transcript from a hearing where a witness used discriminatory language about you, or records of people charged with offenses similar to yours to show that people who share your race, ethnicity, or national origin tend to be charged with more serious offenses.)

(Check a or b)

- a. ☐ I request disclosure of evidence relevant to a potential violation of the Racial Justice Act.

(Complete items (1) and (2). You can add to this request after an attorney is appointed.)

(1) I need the following types of records or information:

(2) I need the records or information because:

- b. ☐ I will request disclosure of evidence after an attorney is appointed to represent me.

6. Request for interpreter

Will you need an interpreter if there is a hearing?


☐ No

☐ Yes **(If yes, write the language you will need the interpreter for.)**

Language: _____

Date: _____

Name of Applicant or Attorney

 _____
Signature of Applicant or Attorney

What is the Racial Justice Act?

The Racial Justice Act (RJA) is a law that prohibits the state from prosecuting or punishing someone based on race, ethnicity, or national origin. If you have, or ever had, a juvenile delinquency case, this law may apply to you.

Why was the RJA passed?

The RJA was passed because the California Legislature recognized that “[d]iscrimination in our criminal justice system based on race, ethnicity, or national origin... has a deleterious effect not only on individual[s] but on our system of justice as a whole.” (Assem. Bill 2542 (Kalra); Stats. 2020, ch. 317.) Such discrimination denies Californians equal justice under the law. The intent of the RJA is to “eliminate racial bias from [our] criminal justice system.”

How do I know if the RJA applies to my case?

The RJA may apply to your juvenile case if:

- You believe a judge, attorney, law enforcement officer, or expert witness was biased against you because of your race, ethnicity, or national origin;
- You believe a judge, attorney, law enforcement officer, or expert witness used racially discriminatory language about your race, ethnicity, or national origin;
- You believe (1) you were charged or found to have committed a more serious offense because of your race, ethnicity, or national origin; and (2) people in the same county who share your race, ethnicity, or national origin are charged or found to have committed more serious offenses than people of a different race, ethnicity, or national origin;
- You believe (1) you received more severe consequences because of your race, ethnicity, or national origin; and (2) people in the same county who share your race, ethnicity, or national origin receive more severe consequences than people of a different race, ethnicity, or national origin;
- You believe (1) you received more severe consequences based on the race, ethnicity, or national origin of the victims in your case; and (2) people in the same county whose victims share the same race, ethnicity, or national origin as people in your case receive more severe consequences than people whose victims are of a different race, ethnicity, or national origin.

Who can file a request under the RJA in juvenile court?

You can file a request under the RJA in juvenile court if:

- Your juvenile court case is still pending, you are currently on juvenile probation, or you are in custody or placement because of a juvenile delinquency case;
- Your juvenile court case may affect your immigration status (including Deferred Action for Childhood Arrivals (DACA), asylum, visa or green card application, removal, or potential deportation); or
- You were sent to the California Department of Corrections and Rehabilitation, Division of Juvenile Justice (DJJ), also known as the California Youth Authority (CYA), as a result of your juvenile court case.

If none of the above apply, you cannot file a request in juvenile court; however, if you had a court date in adult court, you may still be eligible to file a request there.

Where should I file a request under the RJA?

File your request in the last county where you went to court for your case.

What if my last court date was in adult criminal court?

If your last court date was in adult criminal court, file your request in criminal court instead by filling out *Petition for Writ of Habeas Corpus* (form [HC-001](#)) or *Motion to Vacate Conviction or Sentence* (form [CR-187](#)).

When can I file a request under the RJA?

You should file a request as soon as you can after you learn that there may have been a violation of the act in your case.

Do I need an attorney?

No. You can file a request yourself or you can ask an attorney to file a request for you. If you do not have an attorney, you can ask the court to appoint an attorney to represent you. If you need information to file a request yourself, you can contact the attorney or public defender's office who previously represented you.

How do I file an RJA request?

You or your attorney may file a request in juvenile court by filling out *Request for Relief Under the Racial Justice Act—Juvenile Adjudication* (form [JV-720](#)).

- ① Complete form [JV-720](#) (*Request for Relief Under the Racial Justice Act—Juvenile Adjudication*). (Make sure to put your name and contact information in the box at the top of the form and the court's address below your name and address. You can get the court's address from the court papers in your case.)
- ② Make at least one copy of your completed form if you want a copy for your records.
- ③ Once you have filled out the form, take or mail it to the court clerk's office in the court where the last court date was held. It is a good idea to take or mail an extra copy to the clerk and ask the clerk to stamp it to show that the original has been filed. If you mail your completed form, you will need to include a stamped, self-addressed envelope for the clerk to mail a filed copy to you.
- ④ If you have an attorney, and your request is based on something a law enforcement officer did, said, or wrote, your attorney must send ("serve") a copy of this form to the agency that employed the officer.

What happens after I file a request under the RJA?

If you have asked for an attorney, the court will first decide whether to appoint an attorney to your case. If the court appoints an attorney, the attorney will have the opportunity to change or add to ("amend") your request.

If you requested records or information to support your request (known as "discovery"), your attorney can amend your request. The court will then decide whether you have established "good cause" for the release of discovery. If so, the court may order that confidential information be protected.

The court will then review your request and decide whether you have presented enough facts to establish a substantial likelihood that a violation of the RJA occurred. A "substantial likelihood" requires more than a mere possibility. If the court decides you have met this standard, it must then hold an "evidentiary hearing."

If the court holds an evidentiary hearing, you may present evidence and testimony to support your request. The district attorney will also be able to present evidence and testimony. To win, you must prove a violation of the RJA by a "preponderance of the evidence." That means you must prove it is more likely than not that the RJA was violated. After the hearing, the court will decide if you have proven a violation by a preponderance of the evidence. If the court finds that you have not proven a violation, it is required to explain why not.

What happens if my RJA request is granted?

If you prove a violation, the court can make orders to repair the harm. This can include starting your case over, reducing the charges against you, or reducing your disposition (sentence). The court can also make other orders, depending on the circumstances.

What happens if my RJA request is denied?

If your request is denied, you have the right to appeal the denial by filing a notice of appeal.