

AMENDMENTS TO THE CALIFORNIA RULES OF COURT
Adopted by the Judicial Council on April 15, 2020, effective April 16, 2020

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1 **Rule 10.10. Judicial Council internal committees**

2
3 **(a) Judicial Council internal committees**

4
5 The internal committees are:

- 6 (1) Executive and Planning Committee;
- 7 (2) ~~Policy Coordination and Liaison~~ Legislation Committee;
- 8 (3) Rules ~~and Projects~~ Committee;
- 9 (4) Litigation Management Committee;
- 10 (5) Technology Committee; and
- 11 (6) Judicial Branch Budget Committee.

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19 *(Subd (a) amended effective April 16, 2020; adopted effective August 14, 2009, previously*
20 *amended effective February 20, 2014, and January 1, 2019.)*

21
22 **(b)–(h) * * ***

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24 *Rule 10.10 amended effective April 16, 2020; adopted as rule 6.10 effective January 1, 1999;*
25 *previously amended and renumbered as rule 10.10 effective January 1, 2007; previously*
26 *amended effective August 14, 2009, February 20, 2014, January 1, 2016, and January 1, 2019.*

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28
29 **Rule 10.12. ~~Policy Coordination and Liaison~~ Legislation Committee**

30
31 **(a) Legislative activities**

32
33 The ~~Policy Coordination and Liaison~~ Legislation Committee performs the
34 following functions:

- 35 (1)–(3) * * *

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38 *(Subd (a) amended effective April 16, 2020; adopted as subd (b); previously amended*
39 *effective September 1, 2003, and January 1, 2016; previously amended and relettered as*
40 *subd (a) effective August 14, 2009.)*

41
42 **(b)–(d) * * ***

1 *Rule 10.12 amended effective April 16, 2020; adopted as rule 6.12 effective January 1, 1999;*
2 *previously amended and renumbered as rule 10.12 effective January 1, 2007; previously*
3 *amended effective September 1, 2003, August 14, 2009, and January 1, 2016.*
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6 **Rule 10.13. Rules ~~and Projects~~ Committee**
7

8 **(a) Rules, standards, and forms**
9

10 The Rules ~~and Projects~~ Committee establishes and maintains a rule-making process
11 that is understandable and accessible to justice system partners and the public. The
12 committee:

13
14 (1)–(6) * * *

15
16 *(Subd (a) amended effective April 16, 2020; adopted effective August 14, 2009.)*
17

18 **(b) * * ***
19

20 **(c) Recommendations**
21

22 The Rules ~~and Projects~~ Committee assists the council in making informed decisions
23 about rules of court, forms, standards of judicial administration, and jury
24 instructions. The committee:

25
26 (1) Recommends whether the council should approve, modify, or reject each
27 proposal;

28
29 (2) Recommends to the Executive and Planning Committee whether a proposal
30 should be on the council’s consent or discussion agenda and how much time
31 should be allocated for discussion; and
32

33 (3) When appropriate, identifies issues for discussion.
34

35 If the Rules ~~and Projects~~ Committee recommends against approval, it states the
36 reasons for its recommendation.
37

38 *(Subd (c) amended effective April 16, 2020; adopted effective August 14, 2009.)*
39

40 **(d)–(e) * * ***
41

1 *Rule 10.13 amended effective April 16, 2020; adopted as rule 6.13 effective January 1, 1999;*
2 *previously amended and renumbered as rule 10.13 effective January 1, 2007; previously*
3 *amended effective September 1, 2003, August 14, 2009, January 1, 2016, and January 1, 2019.*

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5
6 **Rule 10.16. Technology Committee**

7
8 **(a) * * ***

9
10 **(b) Coordination**

11
12 The committee coordinates the activities of the Administrative Director, council
13 internal committees and advisory committees, the courts, justice partners, and
14 stakeholders on matters relating to court information technology. The committee
15 also, in collaboration or consultation with the ~~Policy Coordination and Liaison~~
16 Legislation Committee, coordinates with other branches of government on
17 information technology issues.

18
19 *(Subd (b) amended effective April 16, 2020; previously amended effective September 1,*
20 *2015, and January 1, 2016.)*

21
22 **(c)–(i) * * ***

23
24 *Rule 10.16 amended effective April 16, 2020; adopted effective February 20, 2014; previously*
25 *amended effective September 1, 2015, January 1, 2016, and January 1, 2019.*

26
27
28 **Rule 10.20. Proposals for new or amended rules, standards, or forms;**
29 **rule-making process in general**

30
31 **(a) * * ***

32
33 **(b) Proposals**

34
35 The council will consider proposals that are submitted to it by an internal
36 committee, an advisory committee, a task force, or Judicial Council staff, in
37 accordance with rule 10.22 and any policies and procedures established by the
38 Rules ~~and Projects~~ Committee.

39
40 *Subd (b) amended effective April 16, 2020; repealed and adopted effective January 1,*
41 *2002; previously amended effective January 1, 2007, and January 1, 2016.)*

1 (c) * * *

2
3 *Rule 10.20 amended effective April 16, 2020; adopted as rule 6.20 effective January 1, 1999;*
4 *previously amended effective January 1, 2002, and January 1, 2016; previously amended and*
5 *renumbered as rule 10.20 effective January 1, 2007.*

6
7 **Rule 10.21. Proposals from members of the public for changes to rules, standards,**
8 **or forms**

9
10 (a)–(b) * * *

11
12 (c) **Advisory committee’s review of proposal**

13
14 The Chief Counsel must refer each proposal from a member of the public to an
15 appropriate advisory committee for consideration and recommendation, or, if no
16 appropriate advisory committee exists, to the Rules ~~and Projects~~ Committee. A
17 Judicial Council staff member may independently review the proposal and present
18 an analysis and a recommendation to the committee. The committee may take one
19 of the following actions:

20
21 (1)–(3) * * *

22
23 *(Subd (c) amended effective April 16, 2020; previously amended effective January 1, 2007,*
24 *and January 1, 2016.)*

25
26 *Rule 10.21 amended effective April 16, 2020; adopted as rule 6.21 effective January 1, 2002;*
27 *previously amended and renumbered as rule 10.21 effective January 1, 2007; previously*
28 *amended effective January 1, 2016.*

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31 **Rule 10.22. Rule-making procedures**

32
33 (a)–(b) * * *

34
35 (c) **Recommendation to Rules and Projects Committee**

36
37 After the proposal has been reviewed by Legal Services and any appropriate
38 advisory committee, the proponent must submit the proposal to the Rules ~~and~~
39 ~~Projects~~ Committee with a recommendation that it be (1) circulated for public
40 comment or (2) submitted to the council for approval without public comment.

41
42 *(Subd (c) amended effective April 16, 2020; previously amended effective January 1,*
43 *2016.)*

1
2 **(d) Review by Rules ~~and Projects~~ Committee**
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4 The Rules ~~and Projects~~ Committee must review the recommendation and may take
5 one of the following actions:

6
7 (1)–(4) * * *

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9 *(Subd (d) amended April 16, 2020; previously amended effective January 1, 2007.)*
10

11 **(e) * * ***
12

13 **(f) Submission to council**
14

15 If, after reviewing the comments, the proponent recommends that the council adopt
16 the proposal, the matter will be placed on the council’s agenda. The Rules ~~and~~
17 ~~Projects~~ Committee must review the recommendation and submit its own
18 recommendation to the council. The council may adopt, modify, or reject the
19 proposal.
20

21 *(Subd (f) amended effective April 16, 2020.)*
22

23 **(g) Compelling circumstances**
24

25 The procedures established in this rule must be followed unless the Rules ~~and~~
26 ~~Projects~~ Committee finds that compelling circumstances necessitate a different
27 procedure. The committee’s finding and a summary of the procedure used must be
28 presented to the council with any recommendation to the council made under this
29 subdivision.
30

31 *(Sub(d) amended effective April 16, 2020.)*
32

33 *Rule 10.22 amended effective April 16, 2020; adopted as rule 6.22 effective January 1, 2002;*
34 *previously amended and renumbered as rule 10.22 effective January 1, 2007; previously*
35 *amended effective January 16, 2016.*
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37

38 **Rule 10.34. Duties and responsibilities of advisory committees**
39

40 **(a) Role**
41

42 Advisory committees are standing committees created by rule of court or the Chief
43 Justice to make recommendations and offer policy alternatives to the Judicial

1 Council for improving the administration of justice within their designated areas of
2 focus by doing the following:

- 3
- 4 (1) Identifying issues and concerns affecting court administration and
5 recommending solutions to the council;
 - 6
 - 7 (2) Proposing necessary changes to rules, standards, forms, and jury instructions;
8
 - 9 (3) Reviewing pending legislation and making recommendations to the ~~Policy~~
10 ~~Coordination and Liaison~~ Legislation Committee on whether to support or
11 oppose it;
12
 - 13 (4) Recommending new legislation to the council;
 - 14
 - 15 (5) Recommending to the council pilot projects and other programs to evaluate
16 new procedures or practices;
 - 17
 - 18 (6) Acting on assignments referred by the council or an internal committee; and
19
 - 20 (7) Making other appropriate recommendations to the council.

21
22 *(Subd (a) amended effective April 16, 2020; adopted effective August 14, 2009.)*
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24

25 **(b)–(f) * * ***
26

27 *Rule 10.34 amended effective April 16, 2020; adopted as rule 6.34 effective January 1, 1999;*
28 *previously amended and renumbered as rule 10.34 effective January 1, 2007; previously*
29 *amended effective January 1, 2002, September 1, 2003, August 14, 2009, February 20, 2014, and*
30 *January 16, 2016.*
31
32

33 **Rule 10.351. Judicial branch policies on workplace conduct**
34

35 The judicial branch is committed to providing a workplace free of harassment,
36 discrimination, retaliation, and inappropriate workplace conduct based on a protected
37 classification. Consistent with this commitment, each court must take reasonable steps to
38 prevent and address such conduct, including adopting policies prohibiting harassment,
39 discrimination, retaliation, and inappropriate workplace conduct based on a protected
40 classification and establishing for such conduct complaint reporting and response
41 procedures that satisfy the minimum requirements stated in this rule.
42

43 **(a)–(c) * * ***

1
2 **(d) Implementation**
3

4 All courts must implement the requirements of this rule by ~~June 30, 2020~~ December
5 31, 2020, or as soon thereafter as possible, subject to any applicable obligations to
6 meet and confer or consult with recognized employee organizations.

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8 *(Subd (d) amended effective April 16, 2020.)*
9

10 *Rule 10.351 amended effective April 16, 2020; adopted effective January 17, 2020.*
11

12 **Appendix D: Judicial Council Governance Policies**
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16 **Governance Process**
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18 **1.-4.** * * *

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20 **5. Internal Committees**
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22 **a.** * * *

23
24 **b. Rules ~~and Projects~~ Committee**

25 The Rules ~~and Projects~~ Committee under California Rules of Court, rule
26 10.13 makes regular reports to the full council on its actions. Its
27 responsibilities are described below.

- 28
29 i. Identifies the need for new rules, standards, and forms;
30 ii. Establishes and publishes procedures for the proposal,
31 adoption, and approval of rules of court, forms, and
32 standards of judicial administration that ensure that
33 relevant input from the public is solicited and
34 considered;
35 iii. Reviews proposed rules, standards, and forms,
36 and circulates those proposals for public
37 comment in accordance with its procedures and
38 guidelines;
39 iv. Provides guidelines for the style and format of rules,
40 forms, and standards and ensures that proposals are
41 consistent with the guidelines;
42 v. Ensures that proposals for new or amended rules,
43 standards, and forms do not conflict with statutes or

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- other rules; and
- vi. Determines whether proposals for new or amended rules, standards, or forms have complied with its procedures.

c. ~~Policy Coordination and Liaison~~ Legislation Committee

The ~~Policy Coordination and Liaison~~ Legislation Committee under California Rules of Court, rule 10.12 makes regular reports to the full council on its actions. Its responsibilities include those described below.

The committee represents the Judicial Council’s position with other agencies and entities, such as the Legislature, the Governor’s Office, the State Bar of California, local government, local bar associations, and other court-related professional associations; reviews and makes recommendations on proposals for Judicial Council–sponsored legislation; reviews pending bills; determines positions consistent with the council’s previous policy decisions; and oversees advocacy for these positions.

d–f * * *

6. Role of Advisory Committees

Advisory committees under California Rules of Court, rule 10.34(a) are standing committees created by rule of court or the Chief Justice to make recommendations and offer policy alternatives to the Judicial Council for improving the administration of justice within their designated areas of focus by doing the following:

- i. Identifying issues and concerns affecting court administration and recommending solutions to the council;
- ii. Proposing necessary changes to rules, standards, forms, and jury instructions;
- iii. Reviewing pending legislation and making recommendations to the ~~Policy Coordination and Liaison~~ Legislation Committee on whether to support or oppose it;
- iv. Recommending new legislation to the council;
- v. Recommending to the council pilot projects and other programs to evaluate new procedures or practices;
- vi. Acting on assignments referred by the council or an internal committee; and
- vii. Making other appropriate recommendations to the council.