

**Advisory Committee on Criminal Jury Instructions**

**Annual Agenda—2017**

**Approved by RUPRO: December 15, 2016**

**I. COMMITTEE INFORMATION**

<b>Chair:</b>	Hon. Sandy R. Kriegler
<b>Staff:</b>	Robin Seeley, Legal Services Office
<b>Committee's Charge:</b> Make recommendations to the Judicial Council to update, revise, and add topics to the Judicial Council criminal jury instructions (CALCRIM) [Rule 10.59]	
<b>Committee Membership:</b> 13 (see Rule 10.59); 2 appellate court justices; 6 trial court judges; 2 attorneys whose primary area of practice is criminal defense; 2 attorneys whose primary area of practice is representing the People of the State of California in criminal matters; 1 law school professors whose primary area of expertise is criminal law.	
<b>Subcommittees/Working Groups:</b> The committee has one subcommittee consisting of six local members who meet to pre-vet all materials before they go to the full committee for review.	
<b>Committee's Key Objectives for 2017:</b> 1. Revise criminal jury instructions (CALCRIM) as required by developments in the law to ensure that they remain current at all times; 2. Respond to all queries, comments, and suggestions from the bench and bar with regard to CALCRIM; 3. Propose new jury instructions to cover additional subject areas, including possible complete new series; and 4. Provide proposed technical or editorial corrections to the criminal jury instructions.	

## II. COMMITTEE PROJECTS

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
1.	<b>Maintenance—Case Law and Legislation:</b> Review case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required.	1	Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law. Origin of Project: Ongoing charge from Judicial Council per Rule 10.59 Resources: None Key Objective Supported: 1	Ongoing, with delivery to Judicial Council at March and September meetings	Criminal jury instructions
2.	<b>Maintenance—Comments From Users:</b> Review comments received from jury instruction users and propose any necessary changes and improvements.	1	Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law. Origin of Project: Ongoing charge from Judicial Council per Rule 10.59 Resources: None Key Objective Supported: 2	Ongoing, with delivery to Judicial Council at March and September meetings	Criminal jury instructions
3.	<b>New Instructions and Expansion into New Areas:</b> Review suggestions received from jury instruction users, new legislation, and case law and propose new criminal jury instructions as appropriate.	1	Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law. Origin of Project: Ongoing charge from Judicial Council per Rule 10. Resources: None Key Objective Supported: 3	Ongoing, with delivery to Judicial Council at March and September meetings	Criminal jury instructions

<sup>1</sup> All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

<sup>2</sup> For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

#	Project <sup>1</sup>	Priority <sup>2</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
4.	<b>Technical Corrections:</b> Make any necessary corrections or editing changes to the jury instructions.		Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law. Origin of Project: Ongoing charge from Judicial Council per Rule 10.59 Resources: None Key Objective Supported: 4	Ongoing, with delivery to Judicial Council at March and September meetings	Criminal jury instructions

### III. STATUS OF 2016 PROJECTS:

*[List each of the projects that were included in the 2016 Annual Agenda and provide the status for the project.]*

#	Project	Completion Date/Status
	<b>Maintenance—Case Law and Legislation:</b> Review case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required.	<b>Ongoing. Releases presented to Judicial Council for approval in February 2016 and August 2016.</b>
	<b>Maintenance—Comments From Users:</b> Review comments received from jury instruction users and propose any necessary changes and improvements.	<b>Ongoing. Releases presented to Judicial Council for approval in February 2016 and August 2016.</b>
	<b>New Instructions and Expansion into New Areas:</b> Review new legislation and case law and suggestions received from jury instruction users and propose new criminal jury instructions as appropriate.	<b>Ongoing. Releases presented to Judicial Council for approval in February 2016 and August 2016.</b>
	<b>Technical Corrections:</b> Make any necessary corrections or editing changes to the jury instructions.	<b>Ongoing. Releases presented to Judicial Council for approval in February 2016 and August 2016.</b>

#### IV. Subcommittees/Working Groups - Detail

**Subcommittees/Working Groups:**

*Subcommittee or working group name:* CALCRIM Subcommittee

*Purpose of subcommittee or working group:* Pre-vets material before it goes to the full committee

*Number of advisory group members:* 5 (all local except for chair)

*Number and description of additional members (not on this advisory group):* None

*Date formed:* 1997

*Number of meetings or how often the group meets:* Twice per year

*Ongoing or date work is expected to be completed:* Ongoing