

Advisory Committee on Criminal Jury Instructions

Annual Agenda—2018

Approved by RUPRO:October 24, 2017

I. COMMITTEE INFORMATION

Chair:	Hon. Rene August Chouteau
Staff:	Robin Seeley, Legal Services Office
Committee's Charge: Make recommendations to the Judicial Council to update, revise, and add topics to the Judicial Council criminal jury instructions (CALCRIM) [Rule 10.59]	
Committee Membership: 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 professor whose primary area of expertise is criminal law.	
Subcommittees/Working Groups: 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.	
Committee's Key Objectives for 2018: 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 ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
1.	Maintenance—Case Law and Legislation: 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.	Maintenance—Comments From Users: 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.	New Instructions and Expansion into New Areas: 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

¹ 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.

² 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 ¹	Priority ²	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
4.	Technical Corrections: 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 2017 PROJECTS:

[List each of the projects that were included in the 2017 Annual Agenda and provide the status for the project.]

#	Project	Completion Date/Status
	Maintenance—Case Law and Legislation: Review case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required.	Ongoing. Releases presented to Judicial Council for approval in March 2017 and September 2017.
	Maintenance—Comments From Users: Review comments received from jury instruction users and propose any necessary changes and improvements.	Ongoing. Releases presented to Judicial Council for approval in March 2017 and September 2017.
	New Instructions and Expansion into New Areas: Review new legislation and case law and suggestions received from jury instruction users and propose new criminal jury instructions as appropriate.	Ongoing. Releases presented to Judicial Council for approval in March 2017 and September 2017.
	Technical Corrections: Make any necessary corrections or editing changes to the jury instructions.	Ongoing. Releases presented to Judicial Council for approval in March 2017 and September 2017.

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)

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