

Item 1

RULES, FORMS, AND STANDARDS

a) Family Law Rules and Forms Governing Child Support Proceedings: (Cal. Rules of Court, new rule 1280.5, New Forms: *Statement of Registration of California Support Order--Family Law* (Form 1285.82), *Proof of Personal Service* (Form 1285.84), *Proof of Service by Mail (Family Law)* (Form 1285.85), *Notice Regarding Payment of Support (Governmental)* (Form 1299.55), *Ex Parte Motion by District Attorney and Declaration for Joinder of Other Parent (Governmental)* (Form 1299.58), *Notice of Motion and Declaration for Joinder of Other Parent in Governmental Action (Governmental)* (Form 1299.61), *Responsive Declaration to Motion for Joinder of Other Parent/Consent Order of Joinder (Governmental)* (Form 1299.64), *Stipulation and Order for Joinder of Other Parent (Governmental)* (Form 1299.67); Amended Forms: *Wage and Earnings Assignment Order (Family Law--Domestic Violence Prevention--Uniform Parentage)* (Form 1285.70), *Order of Genetic (Parentage) Testing* (Form 1298.045), *Statement for Registration of California Support Order (Governmental)* (Form 1298.30), *Notice of Wage and Earnings Assignment (Governmental)* (Form 1299.25), *Request for Hearing Regarding Notice of Wage and Earnings Assignment (Family Law--Governmental)* (Form 1299.28); and Revoked Form: *Allocation of Withheld Amount Subject to Multiple Assignment Orders (Family Law--Domestic Violence Prevention--Uniform Parentage)* (Form 1285.70A)) (Action Required)

[Tab A]

Staff: Mr. Michael Fischer
Mr. George Nielsen
Mr. Lee Morhar

The Family and Juvenile Law Advisory Committee recommends adopting new rules and forms and modifying forms to implement statutory changes in the child support program and to improve efficiency of and access to the courts in child support cases.

b) Revised Statewide Notice to Appear Forms: *Traffic Notice to Appear* (TR-110), *Traffic/Nontraffic Notice to Appear* (TR-130), *Nontraffic Notice to Appear* (TR-120) and *Continuation of Citation* (TR-106), and Manual (Action Required)

[Tab B]

Staff: Mr. Hampton Smith

The Traffic Advisory Committee recommends adopting, effective immediately, the traffic notice to appear forms.

c) Juvenile Law and Adoption Rule and Forms: (1) New Rule and Forms Governing Kinship Adoption Agreements (Cal. Rules of Court, rule 1180); Judicial Council Forms: *Kinship Adoption Agreement* (AD-310); *Petition For Enforcement, Modification or Termination of Kinship Adoption Agreement* (AD-315); *Response to Petition for Enforcement, Modification or Termination of Kinship Adoption Agreement* (AD-320); *Order: Enforcement, Modification, or Termination of Adoption Petition* (AD-325); and *Waiver of Reunification Services* (JV-195); (2) *Findings and Request for Assistance Under the Interstate Compact on the Placement of Children (ICPC)* (JV-565) and *Interstate Compact on the Placement of Children (ICPC) Priority--Findings and Orders* (JV-567); (3) *Petition for Adoption* (AD-100); *Consent and Agreement to Adoption* (AD-110); *Order of Adoption* (AD-115); and *Attachment to Petition for Adoption--Adoption of an Indian Child* (AD-120); (4) Name Change of Division I, under the California Rules of Court Title Five; and (5) Technical Change to *Paternity--Waiver of Rights (Juvenile Dependency)* (JV-505) Form (Action Required)

[Tab C]

Staff: Ms. Diane Nunn

The Family and Juvenile Law Advisory Committee recommends adopting: (1) new rule and forms setting forth the procedure for a kinship adoption agreement (mandated by AB 1544); (2) two new forms for use in cases involving the Interstate Compact on the Placement of Children; (3) new forms for use in adoptions of children who are not under the jurisdiction of the juvenile court; (4) name change of Division I under the California Rules of Court, Title Five; and (5) a technical change to a juvenile dependency form.

d) Technical Amendments to Rules and Forms: (Cal. Rules of Court: Rules 845, 1020(e), 1025, 1029, and 2008 and Forms: *Information Sheet on Waiver of Court Fees and Costs (Form 982(a)(A)) and Facsimile Transmission Cover Sheet (Form 2009) (Action Required)*

[Tab D]

Staff: Ms. Melissa Johnson

The Rules and Projects Committee recommends adoption of technical amendments (not requiring circulation) to the following rules and forms: (1) repeal rule regarding fee for filing out-of-state deposition; (2) revise the terms for the Trial Court Presiding Judges Advisory Committee; (3) amend the Court Profiles Advisory Committee's functions, duties, and membership; (4) amend the Center for Judicial Education and Research Governing Committee's function, duties, and membership; (5) amend a rule requiring fax cover sheets with service by fax; (6) amend a form to reflect 1998 increases in the federal poverty guidelines; and (7) amend a form on fax filing pilot program.

e) Electronic Filing and Generation of Judicial Council Forms Pilot Projects (Cal. Rules of Court, rule 981.5) (Action Required)

[Tab E]

Staff: Ms. Jane Evans

The Court Technology Advisory Committee recommends adopting rule 981.5 to allow courts to modify adopted Judicial Council forms as pilot projects for filing or generation of electronic documents.

f) Record on Appeal: Designation of Contents of Clerk's Transcript (Cal. Rules of Court, rule 5(a), (b)) (Action Required)

[Tab F]

Staff: Mr. Ben McClinton

The Appellate Advisory Committee recommends amending rule 5(a) and (b) to require appellant's and respondent's designation of the contents of the clerk's transcript to describe each document "with particularity," including the title and date of ruling.

g) Probate Forms for Guardianships and Conservatorships (New Forms *Petition for Termination of Guardianship* (GC-255), *Order Terminating Guardianship* (GC-260), *Capacity Declaration—Conservatorship* (GC-335); Revoked Form *Declaration of Medical Inability to Attend Court Hearing* (GC-335); Revised Form *Confidential Supplemental Information* (GC-312) (Action Required)

[Tab G]

Staff: Mr. Ben McClinton

The Probate and Mental Health Task Force proposes changes in the forms used in probate and guardianship and conservatorship proceedings.

Discussion Agenda (Tabs Nos. 2–8)

Item 2

8:45–9:15 a.m.

Rules and Forms to Implement Unified Superior Courts (SCA 4) (Cal. Rules of Court: Repeal Rules 701, 702, 750, 751, 765–770, 790, and 795.5; New Rules 100, 100.5, 701–709, and 982.4; and New Forms: *Application to Call for a Vote to Unify the Municipal and Superior Courts* (Form 982.4(1)) and *Notice of Unanimous Written Consent to Unify the Municipal and Superior Courts* (Form 982.4(2)) (Action Required)

[Tab 2]

The SCA 4 Implementation Working Group recommends repealing justice court rules and adopting new rules and forms to implement Senate Constitutional Amendment 4 (Proposition 220), which is on the June 2, 1998, ballot, permitting judges in each county to vote for the voluntary unification of the superior and municipal courts into one countywide superior court.

Presentation (8:45–9:00)

Speaker: Hon. Margaret Grignon

Staff: Ms. Cara Vonk

Discussion/Council Action (9:00–9:15)

Item 3
9:15–9:55 a.m.

Trial Court Coordination Plans for Los Angeles and Orange Counties for Fiscal Years 1997–98 through 1998–99; Trial Court Coordination Assessments for Selected Counties; Pay Parity for Selected Counties; Proposed Judgeship Allocation Schedule

[Tab 3]

The Trial Court Coordination Advisory Committee recommends approving the trial court coordination plans for Los Angeles and Orange Counties for fiscal years 1997–98 through 1998–99, updates in trial court coordination assessments for selected counties, and pay parity for selected counties.

In addition, AOC staff recommends amending the Proposed Judgeship Allocation Schedule to reflect that (1) Los Angeles and Orange Counties have final coordination plan approval, (2) Kern County also has final plan approval, and (3) the placement of Yolo County of the list was initially incorrect and should be revised.

Presentation (9:15–9:35)

Speaker: Hon. John Flaherty

Staff: Ms. Kiri Torre

Ms. Fran Jurcso

Discussion/Council Action (9:35–9:55)

Item 4
9:55–10:25 a.m.

Pro Tem Judge Use in the Judicial Needs Determination Process (Action Required)

[Tab 4]

The Court Profiles Advisory Committee recommends approving the committee’s policy to assess pro tem use in determining trial court judicial need.

Presentation (9:55–10:05)

Speaker: Hon. Thomas F. Nuss

Mr. D. Kent Pedersen

Staff: Ms. Denise Friday

Discussion/Council Action (10:05–10:25)

10:25–10:40 a.m.

Break

Item 5
10:40–11:05 a.m.

**Recommendations Regarding Balance of Fiscal Year 1997–98
Allocation of One Percent Reserve (Action Required)**
[Tab 5]

The Trial Court Budget Commission recommends an allocation plan for the one percent reserve (\$2.6 million).

Presentation (10:40–10:50)
Speaker: Hon. Steven Jahr
Staff: Mr. Jonathan Wolin
Discussion/Council Action (10:50–11:05)

Item 6
11:05–11:20 a.m.

**Designation of Testing Entities for Court Interpreters (Gov.
Code, § 68562(b)) (Action Required)**
[Tab 6]

Presentation (11:05–11:10)
Staff: Ms. Kate Harrison
Mr. Joseph R. Wong
Discussion/Council Action (11:10–11:20)

AOC staff recommends approving Cooperative Personnel Services and the Consortium for State Court Interpretation Certification as testing entities, effective July 1, 1998, through June 30, 2000.

Item 7
11:20–11:30 a.m.

**Testing Entities for Certifying Court Interpreters for the Deaf
(Action Required)**
[Tab 7]

The Access and Fairness Advisory Committee recommends accepting a compliance report and giving final approval to the two testing entities, Registry of Interpreters for the Deaf (RID) and the California Coalition of Agencies Serving the Deaf and Hard of Hearing, Inc. (CCASD), for certifying court interpreters for the deaf.

Presentation (11:20–11:25)
Speaker: Dr. William Merz
Staff: Ms. Marlene Smith
Discussion/Council Action (11:25–11:30)

Item 8
11:30–11:45 a.m.

**Trial Court Budget Commission Rule (Cal. Rules of Court,
rule 1026) (Action Required)**

[Tab 8]

Presentation (11:30–11:35)

Staff: Mr. Michael Fischer

Discussion/Council Action (11:35–11:45)

AOC staff recommends modifying rule 1026 to clarify (1) appointment procedures and (2) the use and definition of the term “trial court system”.

Information Agenda

Status Chart on Legislation

[Tab 9]

Circulating Orders Approved Since Last Business Meeting

[Circulating Order Tab]

Judicial Council Appointment Orders Since Last Business Meeting

[Appointment Order Tab]