



JUDICIAL COUNCIL
OF CALIFORNIA

CRIMINAL LAW
ADVISORY COMMITTEE

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CRIMINAL LAW ADVISORY COMMITTEE

CLOSED MEETING AGENDA

Closed to the Public (Cal. Rules of Court, rule 10.75(c)(3))

Date: January 19, 2018
Time: 10:00 a.m.

Meeting materials will not be posted on the advisory body web page on the California Courts website. Materials are only posted for open meetings. (Cal. Rules of Court, rule 10.75(h).)

**I. CLOSED SESSION (CAL. RULES OF COURT, RULE
10.75(C)(3))**

Call to Order and Roll Call

Approve Minutes

Approve minutes from the November 27, 2017 Criminal Law Advisory Committee meeting.

Item 1 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Informational Session: Overview of the Judicial Council, Criminal Justice Services, and the Criminal Law Advisory Committee

Item 2 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Forms: Forms to Implement Penal Code Section 1170.22 (SB 239)

Develop new forms to implement Penal Code section 1170.22, petition for a recall or dismissal of a sentence for a violation of Penal Code section 647f.

Item 3 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Form Amendment: Amend Forms to Include Dismissal Remedies Under Penal Code Section 1203.42 (AB 1115)

Amend forms CR-180 and CR-181 to include dismissal remedies under Penal Code section 1203.42.

Item 4 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Forms: Forms to Implement SB 393

Develop new forms to implement changes under SB 393, including Penal Code section 851.91.

Item 5 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Rule Amendment: Amend California Rules of Court, Rule 4.130, to Make Experts' Reports Presumptively Confidential

Amend rule 4.130 to make experts' reports under Penal Code section 1369 presumptively confidential.

Item 6 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Form Amendment: Amend Forms to Include Percipient Witnesses Under Penal Code Section 136.2 (AB 264)

Amend forms CR-160 and CR-161 to include percipient witnesses as possible protected parties under Penal Code section 136.2 (AB 264).

Item 7 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Rule: Rules to Implement Penal Code Section 1368.1(a)(2) (SB 684)

Develop rules to implement Penal Code section 1368.1(a)(2), which allows the prosecuting attorney to seek a determination of probable cause for a defendant who is incompetent to stand trial if the complaint charges specified offenses and the probable cause determination is sought solely for the purpose of establishing that the defendant is gravely disabled.

Item 8 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Rule: Rules to Implement SB 670, Multicounty Incarceration and Supervision

Develop rules to implement changes to Penal Code sections 1170(h) and 1170.3 under SB 670.

Item 9 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Rule Amendment: Amendment to Rule 4.111

Amend rule 4.111 to allow courts to consider the respondent's failure to serve and file a memorandum in opposition within the time permitted as an admission that a pretrial motion is meritorious.

Item 10 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Proposed Form Amendment: Amend MC-275, Petition for Habeas Corpus.

Amend MC-275 to update citations.

Item 11 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Informational Session: Pretrial Detention Reform Work Group Recommendations

Item 12 Closed under rule 10.75(c)(3)(C) (Rules Committees)

Informational Session: Mental Health Issues in the Criminal Justice System

Item 13 Closed under rule 10.75(c)(3)(C) (Rules Committees)
Legislative Update
Discussion of criminal law-related legislation.

II. ADJOURNMENT

Adjourn Closed Session