



JUDICIAL COUNCIL OF CALIFORNIA

RULES AND PROJECTS
COMMITTEE

www.courts.ca.gov/ruprometings.htm
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RULES AND PROJECTS COMMITTEE

NOTICE AND AGENDA OF OPEN IN-PERSON MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e))

THIS MEETING IS BEING RECORDED

Date: Thursday, April 09, 2020
Time: 12:10 p.m. – 2:40 p.m.
Location: Teleconference Meeting
Public Call-in Number: 1-877-820-7831/Listen Only Passcode: 8254930

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to ruprometings@jud.ca.gov

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1)-(2))

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to ruprometings@jud.ca.gov or mailed or delivered to Judicial Council of California, 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Rules and Projects Committee. Only written comments received by 12:00 p.m. on Wednesday, April 8 will be provided to advisory body members prior to the start of the meeting.

III. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

IV. DISCUSSION AND POSSIBLE ACTION ITEMS

APPELLATE

Judicial Council Report–Recommend Council Action

Item 01

Appellate Procedure: Appointment of Counsel in Misdemeanor Appeals (amend rule 8.851; revise forms CR-131-INFO and CR-133) (Action required – recommend Judicial Council action)

Presenter: Christy Simons

Item 02

Appellate Procedure: Access to Juvenile Case Files in Appellate Court Proceedings (amend rules 5.552 and 8.401; approve form JV-291-INFO; revise forms JV-285, JV-290, JV-295, JV-321, JV-325, JV-569, JV-570, JV-571, JV-572, JV-573, JV-574, JV-800, JV-820, and JV-822) (Action required – recommend Judicial Council action)

Presenter: Christy Simons

Item 03

Appellate Procedure: Technical Revisions to Forms to Use Gender-Neutral Language (revise forms APP-004, APP-014, APP-016-GC/FW-016-GC, APP-104, APP-109-INFO, APP-150 INFO, CR-135, CR-143, and JV-810) (Action required – recommend Judicial Council action)

Presenter: Christy Simons

Invitation to Comment–Recommend Circulation for Comment

Item 04 (SPR20-01)

Court Records: Retention of Reporters' Transcripts in Criminal Appeals (amend rule 10.1028) (Action required: recommend circulation for comment)

Presenter: Christy Simons

Item 05 (SPR20-02)

Appellate Procedure: Use of an Appendix in Limited Civil Cases (adopt rule 8.845; amend rules 8.830, 8.840, 8.843, and 8.882; approve form APP-111; revise forms APP-101-INFO and APP-103) (Action required: recommend circulation for comment)

Presenter: Christy Simons

Out of Order Item 47 (SPR20-32)

Appellate Procedure: Emergency Orders to Toll and Extend Time (amend rule 8.66) (Action required: recommend circulation for comment)

Presenter: Christy Simons

Item 06 (SPR20-03)

Appellate Procedure: Consent to Electronic Service (amend rules 8.25, 8.72, and 8.78; revise form APP-009-INFO) (Action required: recommend circulation for comment)

Presenter: Eric Long

Item 07 (SPR20-04)

Appellate Procedure: Date and Time of Filing for Electronically Submitted Documents (amend rule 8.77) (Action required: recommend circulation for comment)

Presenter: Eric Long

Item 08 (SPR20-05)

Appellate Procedure: Method of Notice to Court Reporter (amend rules 8.405, 8.450, and 8.454) (Action required: recommend circulation for comment)

Presenter: Sarah Abbott

CALIFORNIA CIVIL JURY INSTRUCTIONS (CACI)

Judicial Council Report–Recommend Council Action

Item 09

Jury Instructions: Civil Jury Instructions (Release 37) Judicial Council of California Civil Jury Instructions (CACI) (Action required – recommend Judicial Council action)

Presenter: Eric Long

Recommend RUPRO Action Only

Item 10

Jury Instructions: Instructions with Minor Revisions and Nonsubstantive Changes (Action required – RUPRO approval)

Presenter: Eric Long

CENTER FOR JUDICIAL EDUCATION AND RESEARCH (CJER)

Invitation to Comment–Recommend Circulation for Comment

Item 11 (SPR20-06)

Judicial Branch Education: Mandatory Judicial Training Requirement for Prevention of Discrimination, Sexual Harassment and Inappropriate Workplace Behavior, and Unconscious Bias (amend rule 10.469) (Action required: recommend circulation for comment)

Presenter: Mary Ann Koory

CIVIL

Judicial Council Report—Recommend Council Action

Item 12

Unlawful Detainer: Complaint and Answer Forms (revise forms UD-100 and UD-105) (Action required – recommend Judicial Council action)

Presenter: Anne Ronan

Item 13

Civil Practice and Procedure: Confidential Information Form Under Code of Civil Procedure, Section 367.3 (adopt form SH-001) (Action required – recommend Judicial Council action)

Presenter: Eric Long

Item 14

Civil Practice and Procedure: Enforcement of Judgment Forms—Exemptions (revise forms EJ-130, EJ-150, EJ-155, and EJ-156; approve forms EJ-157, EJ-157-INFO, EJ-158, and EJ-159) (Action required – recommend Judicial Council action)

Presenter: Sarah Abbott

Invitation to Comment—Recommend Circulation for Comment

Item 15 (Deferred)

~~**Civil Rules and Forms: Notice for Telephone Appearances on Ex Parte Applications**~~

Item 16 (SPR20-07)

Civil Rules and Forms: Court Reporters for Civil Proceedings (amend rule 2.956; approve form FW-020; revise form FW-001-INFO) (Action required: recommend circulation for comment)

Presenter: Anne Ronan

Item 17 (SPR20-08)

Civil Practice and Procedure: Sealing Previously Filed Papers Under Code of Civil Procedure Section 367.3 (adopt forms SH-020, SH-022, SH-030, and SH-032; approve forms SH-020-INFO, SH-025, and SH-035) (Action required: recommend circulation for comment)

Presenter: Ingrid Leverett

Item 18 (SPR20-09)

Civil Practice and Procedure: Streamlined Discovery Pilot Project (adopt rules 3.1030–3.1039; approve forms CIV-200 and CIV-200-INFO) (Action required: recommend circulation for comment)

Presenter: Anne Ronan

CRIMINAL

Judicial Council Report–Recommend Council Action

Item 19

Criminal Law: Mental Competency Proceedings (amend rule 4.130) (Action required – recommend Judicial Council action)

Presenter: Sarah Fleischer-Ihn

Invitation to Comment–Recommend Circulation for Comment

Item 20 (SPR20-10)

Criminal Procedure: Automatic Record Relief (revise forms CR-180, CR-181, CR-400, CR-409, and CR-409-INFO) (Action required: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 21 (SPR20-11)

Criminal Procedure: Felony Waiver and Plea Form (revise form CR-101) (Action required: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 22 (SPR20-12)

Criminal Procedure: Multicounty Incarceration and Supervision (amend rule 4.452) (Action required: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 23 (SPR20-13)

Criminal Procedure: Ignition Interlock Forms (revise forms ID-100, ID-110, ID-120, ID-130, ID-140, ID-150) (Action required: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 24 (SPR20-14)

Criminal Procedure: Resentencing Recommendations Under Penal Code Section 1170(d)(1) (adopt rule 4.520) (Action required: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 25 (SPR20-15)

Criminal Procedure: Intercounty Probation and Mandatory Supervision Transfer (amend rule 4.530) (Action required: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 26 (SPR20-16)

Criminal Forms: Sex Offender Registration Termination (approve forms CR-415, CR-416, CR-417, and CR-418; approve form CR-415-INFO) (Action required: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

FAMILY

Invitation to Comment–Recommend Circulation for Comment

Item 27 (SPR20-17)

Family Law: Family Law: Implementation of Assembly Bills 677 and 1373 Regarding Adoptions (adopt rule 5.493; approve form ADOPT-206; revise forms ADOPT-050-INFO, ADOPT-200, ADOPT-210, and ADOPT-215) (Action required: recommend circulation for comment)

Presenter: Diana Glick

Item 28 (SPR20-18)

Family Law: Changes to Supervised Visitation Standard and Form (amend Cal. Stds. Jud. Admin., standard 5.20; revise form FL-324) (Action required: recommend circulation for comment)

Presenter: Gabrielle Selden

Item 29 (SPR20-19)

Family Law: Family Law: Changes to Spousal Support and Property Division Forms (approve form FL-349; revise forms FL-157, FL-343, and FL-345) (Action required: recommend circulation for comment)

Presenter: Gabrielle Selden

Item 30 (SPR20-20)

Family Law: Changes to Child Custody Evaluations Rule and Form (amend rule 5.220; adopt form FL-329) (Action required: recommend circulation for comment)

Presenter: Gabrielle Selden

JUVENILE LAW

Judicial Council Report–Recommend Council Action

Item 31

Juvenile Law: Psychotropic Medication Information Release (adopt rule 5.642; amend rules 5.640, 5.706, 5.708, and 5.810; approve forms JV-228 and JV-228-INFO; adopt form JV-229; revise forms JV-221, JV-223, JV-224, and JV-287) (Action required – recommend Judicial Council action)

Presenter: Kerry Doyle

Item 32

Juvenile Law: Juvenile Law: Revisions to Rule & Forms Regarding Educational Rights Holders (amend CRC Rule 5.649; amend Forms JV-535, JV-535A; Adopt Form JV-535-INFO) (Action required – recommend Judicial Council action)

Presenter: Christine Cleary

Invitation to Comment–Recommend Circulation for Comment

Item 33 (SPR20-21)

Juvenile Law: Information, Documents, and Services for Youth 16 Years of Age and Older (amend rules 5.502, 5.740, and 5.810; adopt forms JV-361, JV-362, and JV-363; revise form JV-365) (Action required: recommend circulation for comment)

Presenter: Kerry Doyle

Item 34 (SPR20-22)

Juvenile Law: Nonminor Disposition Hearing–Dependency (adopt rule 5.697; amend rules 5.682 and 5.684; (adopt forms JV-461, JV-461(A) and JV-463) (Action required: recommend circulation for comment)

Presenter: Daniel Richardson

Item 35 (SPR20-23)

Juvenile Law: Access to Sealed Records Juvenile Law: Access to Sealed Records (adopt rule 5.860; revise forms JV-595, JV-595-INFO, and JV-596-INFO; approve forms JV-592, JV-593, and JV-594) (Action required: recommend circulation for comment)

Presenter: Tracy Kenny

Item 36 (SPR20-24)

Juvenile Law: Guardianship Rules and Forms (amend rules 5.510, 5.620, 5.625, 5.695, 5.725, 5.735, 5.740, 5.785, and 5.815, and revise forms JV-320 and JV-418) (Action required: recommend circulation for comment)

Presenter: Corby Sturges

PROBATE

Invitation to Comment–Recommend Circulation for Comment

Item 37-(Deferred)

Probate Guardianship and Conservatorship: Indian Child Welfare Act

Item 38 (SPR20-25)

Rules and Forms: Approval of Compromise for Minor or Person with Disability (amend rules 7.101, 7.950, 7.950.5, 7.951, 7.952, and 7.955; revise forms, MC-350, MC-350(A-13b(5)), MC-350EX, MC-351, MC-355, MC-356, MC-357, and MC-358) (Action required: recommend circulation for comment)

Presenter: Corby Sturges

PROTECTIVE ORDERS

Judicial Council Report–Recommend Council Action

Item 39

Protective Orders: Forms and Procedures for Protecting Minors' Information (amend rules 3.1161 and 5.382; adopt forms CH-176, CH-177, CH-178, CH-179, DV-176, DV-177, DV-178, and DV-179; revise forms CH-109, CH-160, CH-160-INFO, CH-165, CH-170, CH-175, DV-109, DV-160, DV-160-INFO, DV-165, DV-170, and DV-175) (Joint proposal with Family and Juvenile Law Advisory Committee; action required – recommend Judicial Council action)

Presenter: Frances Ho and Kristi Morioka

Item 40

Protective Orders: Duration and Categories of Petitioners for Gun Violence Restraining Orders; Relinquishment of Firearm Rights (adopt form GV-125; revise forms EPO-002, GV-009, GV-020, GV-020-INFO, GV-030, GV-100, GV-100-INFO, GV-109, GV-110, GV-120, GV-120-INFO, GV-130, GV-600, GV-610, GV-620, GV-630, GV-700, and GV-710) (Action required – recommend Judicial Council action)

Presenter: Kristi Morioka

Invitation to Comment–Recommend Circulation for Comment

Item 41(SPR20-26)

Protective Orders: Elder or Dependent Adult Abuse Prevention Forms (revise forms EA-100, EA-120, and EA-130) (Action required: recommend circulation for comment)

Presenter: Kristi Morioka

PROVIDING ACCESS AND FAIRNESS

Invitation to Comment–Recommend Circulation for Comment

Item 42 (SPR20-27)

Rules and Forms: Request for Disability Accommodations: (adopt form MC-410-INFO; revise form MC-410) (Action required: recommend circulation for comment)

Presenter: Diana Glick

TECHNOLOGY

Invitation to Comment–Recommend Circulation for Comment

Item 43 (SPR20-28)

Judicial Branch Technology: Electronic Filer Need Not Consent to Electronic Service (amend rule 2.255) (Action required: recommend circulation for comment)

Presenter: Andrea Jaramillo

TRIBAL COURT STATE COURT FORUM

Invitation to Comment–Recommend Circulation for Comment

Item 44 (SPR20-29)

Indian Child Welfare Act (ICWA): Consent to Temporary Custody of an Indian Child (amend rule 5.514 and adopt form ICWA-101) (Action required: recommend circulation for comment)

Presenter: Ann Gilmour

Item 45 (SPR20-30)

Indian Child Welfare Act (ICWA): Tribal Information Form (amend rule 5.522; approve forms ICWA-100 and ICWA-100-Info) (Action required: recommend circulation for comment)

Presenter: Ann Gilmour

Item 46 (SPR20-31)

Indian Child Welfare Act (ICWA): Remote Appearance by an Indian Child’s Tribe in ICWA Proceedings (amend rules 5.9, 5.482, and 5.531) (Action required: recommend circulation for comment)

Presenter: Ann Gilmour

V. ADJOURNMENT

Adjourn