

Advisory Committee on Criminal Jury Instructions
Annual Agenda—2023
Approved by Rules Committee: November 1, 2022

I. COMMITTEE INFORMATION

Chair:	Hon. Jeffrey Ross, San Francisco County Superior Court
Lead Staff:	Kara Portnow, Supervising Attorney, Criminal Justice Services
Committee's Charge/Membership:	
<p>Rule 10.59 of the California Rules of Court states the charge of the Advisory Committee on Criminal Jury Instructions (CALCRIM), which is to regularly review case law and statutes affecting jury instructions and to make recommendations to the Judicial Council for updating, amending, and adding topics to the council's criminal jury instructions.</p> <p>Rule 10.59 also sets forth the membership position of the committee. The Advisory Committee on Criminal Jury Instructions currently has 12 members. The current committee roster is available on the committee's web page.</p>	
Subcommittees/Working Groups: The committee has one subcommittee, the CALCRIM Workgroup, currently consisting of five members (one vacancy) who meet to pre-vet all materials before they go to the full committee for review.	
Meetings Planned for 2022 (Advisory body and all subcommittees and working groups)	
Date/Time/Location or Teleconference: Two full committee meetings in June and in November. Two workgroup meetings in May and in October. Dates and location TBD.	
<input checked="" type="checkbox"/> Check here if exception to policy is granted by Executive Office or rule of court.	

COMMITTEE PROJECTS

#	New or One-Time Projects	

#	Ongoing Projects and Activities	
1	Maintenance—Case Law and Legislation	Priority 1¹ Strategic Plan Goal IV²
<p>Project Summary: Review case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at March and September meetings.</p> <p>Fiscal Impact/Resources: No implementation costs are associated with this project. <input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		
2	Maintenance—Comments from Users	Priority 1 Strategic Plan Goal IV
<p>Project Summary: Review comments received from jury instruction users and propose any necessary changes and improvements. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at March and September meetings.</p> <p>Fiscal Impact/Resources: No implementation costs are associated with this project. <input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable.</p>		

¹ 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.

² Indicate which goal number of The Strategic Plan for California’s Judicial Branch the project most closely aligns.

#	Ongoing Projects and Activities	
	<i>AC Collaboration:</i> Not applicable.	
3	Project Title: New Instructions and Expansion into New Areas.	Priority 1 Strategic Plan Goal IV
<p>Project Summary: Review suggestions received from jury instruction users, new legislation, and case law and propose new criminal jury instructions as appropriate. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at March and September meetings.</p> <p>Fiscal Impact/Resources: No implementation costs are associated with this project. <input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		
4	Project Title: Technical Corrections.	Priority 1 Strategic Plan Goal IV
<p>Project Summary: 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.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at March and September meetings.</p> <p>Fiscal Impact/Resources: No implementation costs are associated with this project. <input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>		

II. LIST OF 2022 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Maintenance—Case Law and Legislation: Reviewed case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required. Releases presented to Judicial Council for approval in March 2022 and September 2022.
2.	Maintenance—Comments From Users: Reviewed comments received from jury instruction users and propose any necessary changes and improvements. Releases presented to Judicial Council for approval in March 2022 and September 2022.
3.	New Instructions and Expansion into New Areas: Reviewed new legislation and case law and suggestions received from jury instruction users and proposed new criminal jury instructions as appropriate. Releases presented to Judicial Council for approval in March 2022 and September 2022.
4.	Technical Corrections: Made necessary corrections or editing changes to the jury instructions. Releases presented to Judicial Council for approval in March 2022 and September 2022.