



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688
www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-061

For business meeting on February 21, 2025

Title

Judicial Council: Rules Committee Report

Report Type

Information

Submitted by

Rules Committee

Hon. Carin T. Fujisaki, Chair

Hon. Joan K. Irion, Vice-Chair

Date of Report

February 10, 2025

Contact

Eric Long, 415-865-7691

eric.long@jud.ca.gov

Executive Summary

The Rules Committee establishes and maintains the Judicial Council rule-making process and assists the council in making informed decisions about rules of court, forms, standards of judicial administration, and jury instructions. Among other actions, the committee “[r]ecommends whether the council should approve, modify, or reject each proposal.” (Cal. Rules of Court, rule 10.13(c)(1).)

This report describes the committee’s activities since the November 15, 2024, Judicial Council meeting and its recommendations for the rules, forms, and jury instructions proposals on the council’s consent agenda for the February 21 council meeting, as well as two proposals identified below that have already been approved by the council by circulating order.

Overview of Committee Meetings

Since the council’s last meeting, the Rules Committee has met twice by videoconference and twice by email.

On **December 4, 2024**, the Rules Committee met by videoconference to consider:

- Ten proposals on rules and forms to circulate for comment during the winter cycle from the Appellate Advisory Committee, the Civil and Small Claims Advisory Committee, the Criminal Law Advisory Committee, the Family and Juvenile Law Advisory Committee,

the Information Technology Advisory Committee, and the Probate and Mental Health Advisory Committee.

- One circulating order memorandum with recommendations for revised Uniform Bail and Penalty Schedules:
 - A recommendation from the Traffic Advisory Committee that the Judicial Council adopt revisions, effective January 1, 2025, to the Uniform Bail and Penalty Schedules, 2025 Edition: Traffic, Boating, Forestry, Fish and Game, Public Utilities, Parks and Recreation, Business Licensing. (Circulating Order No. CO-24-01.)

Action:

The Rules Committee approved circulation of the ten rules and forms proposals, which were posted for public comment following the meeting through January 6, 2025.

The committee approved the circulating order memorandum, which has already been circulated to the council for action.

On **December 19, 2024**, the Rules Committee acted by email to approve one circulating order memorandum with recommendations for a revised form:

- A recommendation from Judicial Council staff to revise one Judicial Council form to implement Assembly Bill 2347 (Stats. 2024, ch. 512), enacted September 24, 2024, which changed the deadline to respond to the summons in unlawful detainer proceedings and other summary proceedings for obtaining possession of real property. (Circulating Order No. CO-24-02.)

Action:

The committee approved the circulating order memorandum, which has already been circulated to the council for action.

On **January 8, 2025**, the Rules Committee acted by videoconference to consider:

- One jury instructions proposal from the Advisory Committee on Criminal Jury Instructions:
 - A proposed report to the council to approve additions and revisions to the 2025 edition of *Judicial Council of California Criminal Jury Instructions (CALCRIM)* that circulated for public comment.
- One proposed report to the Judicial Council from Judicial Council staff recommending approval of revisions to five Judicial Council forms to implement Assembly Bill 2837 (Stats. 2024, ch. 514), enacted September 24, 2024. The proposed revisions to the forms implement an amended statute that created an address verification requirement for service by the levying officer of documents related to enforcement of a judgment for personal

debt and that changed the start of the withholding period for an earnings withholding order. Public comments were not solicited for this proposal because the Rules Committee determined that the recommendations are within the Judicial Council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).) Later this year, the Civil and Small Claims Advisory Committee plans to circulate a proposal to implement AB 2837 and will include the five forms discussed in this report.

Action:

The committee approved the two proposed reports to go forward to the council's consent agenda for the February 21 meeting.

On **January 24, 2025**, the Rules Committee acted by email to approve a proposed report from Judicial Council staff recommending the revision of four Judicial Council forms to reflect calculations based on the 2025 federal poverty guidelines. Revising the forms will ensure that litigants and courts have accurate information to decide fee waiver applications and liability for reimbursement of the cost of court-appointed counsel in dependency proceedings. Public comments were not solicited for this proposal because the Rules Committee determined that the recommendations are within the Judicial Council's purview to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

Action:

The committee approved the proposed report to go forward to the council's consent agenda for the February 21 meeting.

Recommendation to the Judicial Council

The Rules Committee recommends council approval of the rules, forms, and jury instructions recommendations in the reports identified above. All of these proposals are on the council's consent agenda for the February 21 meeting.