



# Judicial Council of California

## Meeting Minutes

### Judicial Council

Please visit [the courts website](#) to access the recording of the September 20, 2024, meeting.

Meeting materials are available through the hyperlinks in this document.

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Friday, September 20, 2024

10:20 AM

San Francisco

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### **CLOSED SESSION (RULE 10.6(b))—PLANNING, PERSONNEL, AND DISCUSSION PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE**

Chief Justice Patricia Guerrero, Chair of the Judicial Council, called the closed session to order at 9:00 a.m.

### **OPEN SESSION (RULE 10.6(a))—MEETING AGENDA**

#### **Attendance**

##### **Council Members**

- Present:** 28 - Chief Justice Patricia Guerrero, Justice Carol A. Corrigan, Administrative Presiding Justice Brad R. Hill, Justice Stacy E. Boulware Eurie, Justice Carin T. Fujisaki, Justice Joan K. Irion, Presiding Judge Bunmi O. Awoniyi, Presiding Judge Maureen F. Hallahan, Presiding Judge Maria D. Hernandez, Presiding Judge Lisa M. Rogan, Assistant Presiding Judge Tamara L. Wood, Judge Khymberli S. Apaloo, Judge Maria Lucy Armendariz, Judge C. Todd Bottke, Judge Kyle S. Brodie, Judge Michelle Williams Court, Judge Charles S. Crompton, Judge Judith K. Dulcich, Judge Ann C. Moorman, Commissioner Ryan Davis, Ms. Kate Bieker, Ms. Rachel W. Hill, Mr. Charles Johnson, Ms. Gretchen Nelson, Mr. Darrel E. Parker, Mr. Craig M. Peters, Mr. Maxwell V. Pritt, and Mr. David H. Yamasaki
- Absent:** 2 - Assembly Member Brian Maienschein and Senator Thomas J. Umberg

#### **Call to Order**

Chief Justice Patricia Guerrero, Chair of the Judicial Council, called the open session to order at 10:20 a.m. in the Judicial Council Board Room.

#### **Swearing in of New and Reappointed Judicial Council Members**

The Chief Justice administered the oath of office to new and reappointed council members.

##### **New members:**

- **Hon. Stacy E. Boulware Eurie**, Associate Justice, Court of Appeal, Third Appellate District

- **Hon. Joan K. Irion**, Associate Justice, Court of Appeal, Fourth Appellate District, Division One
- **Hon. Khymerli S. Apaloo**, Judge, Superior Court of San Bernardino County
- **Hon. Bunmi O. Awoniyi**, Presiding Judge, Superior Court of Sacramento County
- **Hon. Lisa M. Rogan**, Presiding Judge, Superior Court of San Bernardino County
- **Hon. Tamara L. Wood**, Assistant Presiding Judge, Superior Court of Shasta County
- **Hon. Ryan Davis**, Commissioner, Superior Court of Sacramento County
- **Mr. Craig M. Peters**, Attorney, San Francisco

**Reappointed members:**

- **Hon. Brad R. Hill**, Administrative Presiding Justice, Court of Appeal, Fifth Appellate District
- **Hon. Carin T. Fujisaki**, Associate Justice, Court of Appeal, First Appellate District, Division Three
- **Hon. Kyle S. Brodie**, Judge, Superior Court of San Bernardino County
- **Hon. Judith K. Dulcich**, Judge, Superior Court of Kern County
- **Hon. Maria D. Hernandez**, Presiding Judge, Superior Court of Orange County

**Public Comment**

Written comments were provided to the council members and filed in the record. James L. Chaffee and Kai On addressed the council on general matters of judicial administration.

**Chief Justice's Report**

Chief Justice Patricia Guerrero reported on her activities since the last council meeting.

**Administrative Director's Report**

[24-011](#)

**Administrative Director's Report**

Administrative Director Michelle Curran reported on some of the many activities Judicial Council staff engaged in to further the council's strategic goals and priorities for the judicial branch since the last business meeting, exclusive of items on the September meeting agenda.

## Judicial Council Internal Committee Presentation

[24-170](#)      **Rules Committee | Rules and Forms Process**

[24-018](#)      **Written Reports**

## CONSENT AGENDA

### Approval of the Consent Agenda

A motion to approve all of the following items on the Consent Agenda was made by Mr. Yamasaki and seconded by Ms. Nelson. The motion was adopted.

[24-005](#)      **Minutes of July 12, 2024, Judicial Council Meeting**

[24-153](#)      **Allocations and Reimbursements to Trial Courts | Funding for Court Reporters (Action Required)**

**Summary:** Senate Bill 170 (Stats. 2021, ch. 240), which amended the Budget Act of 2021, included \$30 million ongoing General Fund to the Judicial Council for establishing a methodology to allocate funding to all trial courts to increase the number of court reporters in family law and civil cases. The budget language in the 2022 Budget Act and ongoing expanded the use of this funding but did not affect how these funds are allocated to the courts.

Because of the state's fiscal deficit, the May Revision for the fiscal year (FY) 2024-25 budget proposed reducing the funding from \$30 million to \$20 million; however, the final enacted budget for FY 2024-25 maintained the \$30 million ongoing. The Judicial Council approved the allocations for \$20 million at its July meeting. The Trial Court Budget Advisory Committee now recommends that the Judicial Council approve the court reporter allocations for the remaining \$10 million to the trial courts.

**Recommendation:** The Trial Court Budget Advisory Committee recommends that the Judicial Council approve court reporter allocations of \$10 million to the trial courts, effective September 20, 2024, for a total of \$30 million, as outlined in Attachment A.

[24-161](#)      **Court Facilities | 2023 Edition of the California Trial Court Facilities Standards (Action Required)**

**Summary:** The Court Facilities Advisory Committee recommends adoption of the *California Trial Court Facilities Standards 2023 Edition*. Over time, various code provisions and best management practices have changed from the Judicial Council's current trial court facilities standards. Upon adoption, Judicial Council Facilities Services will apply these facilities standards for design and construction of trial court facilities.

**Recommendation:** The Court Facilities Advisory Committee recommends that the Judicial Council, effective September 20, 2024, adopt the *California Trial Court Facilities Standards 2023 Edition*.

[24-166](#)

**Equal Access Fund | Distribution of Funds for CARE Act Legal Representation (Action Required)**

**Summary:** Judicial Council staff recommend approving the distribution of \$18,761,000 to the Legal Services Trust Fund Commission of the State Bar of California for the implementation of the Community Assistance, Recovery, and Empowerment (CARE) Act as authorized by the Budget Act of 2024. The commission will distribute a portion of these funds through the Equal Access Fund as grants to qualified legal services projects to provide legal counsel for representation in CARE Act proceedings or to county public defender offices or public defender services shared with another county or organization providing public defender services to the county in the event that no qualified legal services project is available to provide representation; to qualified support centers or other entities that have expertise in providing legal training and technical assistance to legal aid providers or public defenders related to the implementation of the CARE Act; and to the State Bar of California for administration of this program.

**Recommendation:** Judicial Council staff recommends that the Judicial Council, effective September 20, 2024, approve the distribution of \$18,761,000 to the Legal Services Trust Fund Commission of the State Bar of California for the implementation of the Community Assistance, Recovery, and Empowerment Act, as authorized by the Budget Act of 2024.

[24-164](#)

**Equal Access Fund | Distribution of Funds for IOLTA-Formula Grants and Partnership Grants (Action Required)**

**Summary:** Judicial Council staff recommend approving the distribution of up to \$40,487,700 to the Legal Services Trust Fund Commission of the State Bar of California for the Equal Access Fund Interest on Lawyers' Trust Accounts (IOLTA)-Formula Grants and Partnership Grants as authorized by the Budget Act of 2024. The commission will distribute the funds as grants to legal services providers and support centers to be used for legal services in civil matters for indigent persons and self-represented litigants to improve equal access and the fair administration of justice, as authorized by the Budget Act.

**Recommendation:** Judicial Council staff recommend that the Judicial Council, effective September 20, 2024:

1. Approve the distribution of up to \$40,487,700 to the State Bar of California for the Equal Access Fund IOLTA-Formula Grants and Partnership Grants (Link A) as authorized by the Budget Act of 2024 (Assem. Bill 107 (Gabriel)), including:
  - Up to \$772,600 for administration of the program by the State Bar;
  - 90 percent of the total after administrative costs, or up to \$36,438,930,

to be allocated through IOLTA-Formula Grants to legal services providers to provide legal services in civil matters for indigent persons and 15 percent of the allocation to support centers to provide technical and legal assistance to the legal services providers;

- 10 percent of the total after administrative costs, or \$4,048,770, to be allocated through Partnership Grants to legal services providers for projects conducted jointly with the courts to provide legal assistance to self-represented litigants; and
2. Approve the grant awards recommended by the commission. The proposed IOLTA-Formula Grant recipients are on pages 43-45 and the proposed Partnership Grant recipients are on pages 52-55 of the commission's distribution report.

#### [24-165](#)

### **Equal Access Fund | Distribution of Funds to the California Access to Justice Commission (Action Required)**

**Summary:** The Advisory Committee on Providing Access and Fairness recommends approval of a distribution of \$5 million to the California Access to Justice Commission for grants to civil legal aid nonprofits to support the infrastructure and innovations needs of legal services in civil matters for indigent persons. The Judicial Council has been directed by the state Budget Act to take this action since fiscal year 2021-22.

**Recommendation:** The Advisory Committee on Providing Access and Fairness recommends that the Judicial Council, effective September 20, 2024, approve a distribution of \$5 million to the California Access to Justice Commission for grants to civil legal aid nonprofits, as authorized by the Budget Act of 2024.

#### [24-100](#)

### **Judicial Branch Administration | Judicial Branch Contracting Manual (Action Required)**

**Summary:** The Advisory Committee on Audits and Financial Accountability for the Judicial Branch recommends that the Judicial Council adopt proposed revisions to the *Judicial Branch Contracting Manual*. The proposed revisions implement the recommendation from the California State Auditor to add fraud reporting requirements that are substantially similar to *State Administrative Manual* section 20080.

**Recommendation:** The Advisory Committee on Audits and Financial Accountability for the Judicial Branch recommends that the Judicial Council, effective October 1, 2024, adopt proposed revisions to the *Judicial Branch Contracting Manual*.

[24-099](#)**Jury Instructions | Criminal Jury Instructions (2024 Supplement)  
(Action Required)**

**Summary:** Recent developments in the law necessitate revision of the criminal jury instructions to keep them current with statutory and case authority. To that end, the Advisory Committee on Criminal Jury Instructions recommends approving for publication the revised criminal jury instructions prepared by the committee under rule 2.1050 of the California Rules of Court. Once approved, the revised instructions will be published in the 2024 supplement of *Judicial Council of California Criminal Jury Instructions (CALCRIM)*.

**Recommendation:** The Advisory Committee on Criminal Jury Instructions recommends that the Judicial Council, effective September 20, 2024, approve revisions to the following criminal jury instructions prepared by the committee: CALCRIM Nos. 320, 510, 520, 522, 562, 570, 640, 641, 642, 643, 736, 852A, 938, 960, 1191A, 1193, 1202, 1243, 1301, 1400, 1401, 2140, 2141, 2142, 2160, 2303, 2542, 2600, 2603, 2651, 2652, 2701, 3261, 3425, 3426, and 3427.

[24-021](#)**Juvenile Law | Fiscal Year 2024-25 Funding Allocation for  
California Court Appointed Special Advocate Association  
(Action Required)**

**Summary:** The Family and Juvenile Law Advisory Committee recommends approving the allocation of \$20 million in Court Appointed Special Advocate program grant funding, included in the Budget Act of 2024, to the California Court Appointed Special Advocate Association for fiscal year 2024-25. The funding supports local court-appointed special advocate programs that recruit and train volunteers appointed by judicial officers to provide advocacy for children under the jurisdiction of a juvenile court. The funding also supports the California Court Appointed Special Advocate Association's initiatives for statewide volunteer recruitment, shared resources and infrastructure, and training.

**Recommendation:** The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective September 20, 2024:

1. Allocate \$20 million in General Fund appropriations for the California Court Appointed Special Advocate (CASA) Association for fiscal year 2024-25 as specified by the Budget Act of 2024 (Assem. Bill 107; Stats. 2024, ch. 22) to:
  - a. Provide \$16 million in funding to local CASA programs to expand capacity, recruitment, and training, and to stabilize local budgets and staffing; and
  - b. Provide \$4 million to be used statewide for volunteer recruitment initiatives, shared resources and infrastructure, development of training curriculum, collection of data on program implementation and outcomes to support the required report to the Legislature, and other uses to expand CASA services in the state; and
2. Direct the California CASA Association to:
  - a. Allocate \$16 million as described in recommendation 1a to local CASA

programs using an equitable funding methodology based on local CASA program needs; and

- b. Collect, compile, and submit data to the Judicial Council, as determined in collaboration with Judicial Council program staff, on program implementation and outcomes to support the required report to the Legislature and other uses to expand CASA services in the state.

## [24-146](#)

### **Rules and Forms | Appellate Procedure: Civil Case Information Statement, Calendar Preference, and Extension of Time (Action Required)**

**Summary:** The Appellate Advisory Committee recommends amending California Rules of Court, rule 8.100 to require appellants to file the *Civil Case Information Statement* (APP-004) within 15 days after the reviewing court assigns the appeal a case number and revising form APP-004 to allow the appellant to provide a nonstatutory reason why the appeal is eligible for calendar preference. The committee also recommends revising the forms used by parties to request extensions of time to file briefs to make slight substantive and formatting improvements.

**Recommendation:** The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Amend California Rules of Court, rule 8.100 to require the appellant to file *Civil Case Information Statement* (form APP-004) within 15 days after the reviewing court assigns the appeal a case number;
2. Revise *Civil Case Information Statement* (form APP-004) to reflect the change to rule 8.100 and to allow the appellant to provide a nonstatutory reason why the appeal is eligible for calendar preference; and
3. Revise the following forms to make slight substantive and formatting improvements:
  - *Information on Appeal Procedures for Unlimited Civil Cases* (form APP-001-INFO)
  - *Application for Extension of Time to File Brief--Unlimited Civil Case* (form APP-006)
  - *Application for Extension of Time to File Brief--Limited Civil Case* (form APP-106)
  - *Application for Extension of Time to File Brief--Criminal Case* (form CR-126)
  - *Application for Extension of Time to File Brief--Juvenile Justice Case* (form JV-816)
  - *Application for Extension of Time to File Brief--Juvenile Dependency Case* (form JV-817)

[24-149](#)**Rules and Forms | Appellate Procedure: Deadline for Amicus Curiae Briefs (Action Required)**

**Summary:** The Appellate Advisory Committee recommends amending California Rules of Court, rule 8.200 to provide a deadline for filing an application to file an amicus curiae brief when no respondent's brief has been filed. This proposal is intended to close a gap in the current rule.

**Recommendation:** The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2025, amend California Rules of Court, rule 8.200 to require that when no respondent's brief has been filed, an application for permission to file an amicus curiae brief must be filed within 34 days after the respondent's brief could have been filed.

[24-148](#)**Rules and Forms | Appellate Procedure: Expanded Clerk's Transcripts in Felony Appeals (Action Required)**

**Summary:** The Appellate Advisory Committee recommends amending California Rules of Court, rule 8.320 to authorize the Courts of Appeal to require, by local rule, that the clerk's transcript in felony appeals include additional court records from the superior court file beyond those currently required in rule 8.320(b) or (d)(1). This amendment is intended to help minimize delays in felony appeals occasioned by the need to cure omissions from, or make augmentations to, the clerk's transcript.

**Recommendation:** The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2025, amend California Rules of Court, rule 8.320 to authorize the Courts of Appeal to require, by local rule, that the clerk's transcript in felony appeals include any or all additional court records in the superior court file beyond those required by rule 8.320(b) or (d)(1).

[24-147](#)**Rules and Forms | Appellate Procedure: Form Briefs for Use in Limited Civil Appeals (Action Required)**

**Summary:** The Appellate Advisory Committee recommends the approval of three optional form briefs that parties can use in limited civil appeals, as well as related information sheets that explain how to use each form brief. Additionally, the committee recommends amending one rule of court and revising one information sheet to address these new forms. The new forms are intended to assist self-represented litigants and attorneys unfamiliar with appellate practice in drafting effective briefs before the appellate division of the superior court.

**Recommendation:** The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Approve the following forms for optional use:
  - *Appellant's Opening Brief--Limited Civil Case* (form APP-200)
  - *How to Use Form APP-200 in Limited Civil Cases* (form APP-200-INFO)
  - *Respondent's Brief--Limited Civil Case* (form APP-201)
  - *How to Use Form APP-201 in Limited Civil Cases*



(form APP-201-INFO)

- *Appellant's Reply Brief--Limited Civil Case* (form APP-202)
- *How to Use Form APP-202 in Limited Civil Cases*

(form APP-202-INFO)

2. Amend California Rules of Court, rule 8.883 to provide that when parties use a form brief approved for use by the Judicial Council, the brief and attachments may not exceed 25 pages in length and the attachments must comply with the formatting requirements in rule 8.883(c)(1)-(7).
3. Revise *Information on Appeal Procedures for Limited Civil Cases* (form APP-101-INFO) to refer to the new forms.

### [24-131](#)

#### **Rules and Forms | CEQA Actions: Initial Case Management Conferences (Action Required)**

**Summary:** The Civil and Small Claims Advisory Committee recommends amending rule 3.2226 of the California Rules of Court to implement the provisions of Senate Bill 149 concerning initial case management conferences for actions brought under the California Environmental Quality Act.

**Recommendation:** The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2025, amend rule 3.2226 to implement SB 149. This amendment provides that the court must hold an initial case management conference within 30 days of the filing of the complaint in actions brought under the California Environmental Quality Act that receive expedited court review. In addition, it incorporates a topic listed in SB 149 into the enumerated topics that the court should consider at the conference.

### [24-168](#)

#### **Rules and Forms | Civil Practice and Procedure: Case Dismissal With Retained Jurisdiction (Action Required)**

**Summary:** The Civil and Small Claims Advisory Committee recommends amending California Rules of Court, rule 3.1385 and revising form CIV-110 to implement amended Code of Civil Procedure section 664.6, which allows courts to dismiss cases without prejudice and retain jurisdiction to enforce settlement terms. The rule would be amended to incorporate advisory committee comments clarifying the application of specific subdivisions of the rule depending on whether dismissal under section 664.6 is sought. The recommended form revision would add a new option to request dismissal without prejudice and with retained jurisdiction.

**Recommendation:** The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Amend California Rules of Court, rule 3.1385 to add advisory committee comments explaining that parties must still follow the provisions of rule 3.1385(a) and (b) if they seek dismissal under Code of Civil Procedure section 664.6 and that rule 3.1385(c) provides an alternative process to dismissal under section 664.6; and
2. Revise *Request for Dismissal* (form CIV-110) to add an option for the party

asking for dismissal to request dismissal without prejudice and with the court retaining jurisdiction.

#### [24-107](#)

### **Rules and Forms | Civil Practice and Procedure: Memorandum of Costs (Action Required)**

**Summary:** The Civil and Small Claims Advisory Committee recommends revising the optional form litigants use for claiming prejudgment costs under Code of Civil Procedure sections 1032 and 1033.5 (form MC-010) to add a certification under penalty of perjury for the costs submitted. The committee also recommends on form MC-010 and its companion worksheet (form MC-011) (1) removing the references to fees for hosting electronic documents as a cost because these fees have sunsetted as an expressly allowable cost and (2) relocating the item “Models, enlargements, and photocopies of exhibits” on the lists of costs. The origins of this proposal are a litigant’s challenge to form MC-010’s verification language, a sunset provision in the statute, and a suggestion from a form user to make parallel the cost items in the two forms.

**Recommendation:** The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Revise *Memorandum of Costs (Summary)* (form MC-010) to add a certification under penalty of perjury for the costs requested; and
2. Revise form MC-010 and *Memorandum of Costs (Worksheet)* (form MC-011) by removing references to fees for hosting electronic documents as a cost and relocating “Models, enlargements, and photocopies of exhibits” to item 13 of the list of costs.

#### [24-108](#)

### **Rules and Forms | Civil Practice and Procedure: Order on Unlawful Use of Personal Identifying Information (Action Required)**

**Summary:** The Civil and Small Claims Advisory Committee recommends revising form CIV-165, *Order on Unlawful Use of Personal Identifying Information*, for a judicial officer to identify (1) the business entity at issue in the petition underlying the order and (2) its corresponding file number with the Secretary of State if identified in the petition. The recommendation responds to a request from the Secretary of State’s office for more information to allow it to act on a court’s determination that a petitioner’s personal identifying information was used unlawfully in a business entity filing. The revisions are intended to assist the Secretary of State in locating the offending record so that Secretary of State staff can perform the steps necessary to comply with the court’s order granting relief to a petitioner.

**Recommendation:** The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2025, revise *Order on Unlawful Use of Personal Identifying Information* (form CIV-165) to allow the court to identify the business entity and, if the information has been included in the petition underlying the order, the entity’s file number with the Secretary of State.

[24-145](#)**Rules and Forms | Civil Practice and Procedure: Rule and Forms to Implement Assembly Bill 1119 (Action Required)**

**Summary:** Assembly Bill 1119 (Stats. 2023, ch. 562), enacted October 8, 2023, requires the Judicial Council to adopt and revise forms as necessary to implement a new procedure for debtor's examinations used to enforce judgments concerning consumer debts. To implement AB 1119, the Civil and Small Claims Advisory Committee recommends adopting one rule, adopting seven mandatory forms, and revising six forms.

**Recommendation:** The Civil and Small Claims Advisory Committee recommends that the Judicial Council:

1. Effective October 1, 2024, revise *Application and Order for Appearance and Examination* (form AT-138/EJ-125) to correctly state the service deadline for orders for examination of third persons and to clarify that the form should be used to ask for an examination of the judgment debtor only if the judgment does not concern consumer debt; and
2. Effective January 1, 2025, to implement the procedures created in AB 1119 for debtor's examinations used to enforce judgments awarded on or after January 1, 2025, that concern consumer debt:
  - Adopt California Rules of Court, rule 3.1905;
  - Adopt the following mandatory forms:
    - *Information on Debtor's Examinations Regarding Consumer Debt* (form EJ-140-INFO/SC-136-INFO);
    - *Application and Order to Appear for Examination--Consumer Debt* (form EJ-141);
    - *Notice of Financial Statement--Consumer Debt* (form EJ-143);
    - *Financial Statement--Consumer Debt* (form EJ-144);
    - *Notice of Motion and Motion to Require Examination--Consumer Debt* (form EJ-146);
    - *Application and Order to Require Examination After Submission of Financial Statement--Consumer Debt* (form EJ-147); and
    - *Application and Order to Produce Financial Statement or Appear for Examination--Consumer Debt* (form SC-136);
  - Revise the following forms:
    - *Judgment* (form JUD-100);
    - *Notice of Entry of Judgment* (form SC-130);
    - *Application and Order to Produce Statement of Assets and to Appear for Examination* (form SC-134);
    - *Notice of Entry of Judgment* (form SC 200); and
    - *What to Do After the Court Decides Your Small Claims Case* (form SC-200-INFO).

[24-130](#)**Rules and Forms | Civil Practice and Procedure: Tentative Rulings (Action Required)**

**Summary:** Rule 3.1308 of the California Rules of Court requires courts that offer tentative rulings in civil law and motion matters to make all tentative rulings available by telephone. The Civil and Small Claims Advisory Committee recommends amending the rule to eliminate that requirement, given the variety of different court practices necessitated by individual court circumstances.

**Recommendation:** The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2025, amend rule 3.1308 to eliminate the requirement that tentative rulings made in civil law and motion matters be made available by telephone, and provide only that they be made available by a method designated by the court.

[24-036](#)**Rules and Forms | Court Interpreters: Implementation of Assembly Bill 1032 (Action Required)**

**Summary:** Recent statutory changes were enacted by Assembly Bill 1032 (Pacheco; Stats. 2023, ch. 556), relating to provisionally qualified court interpreters. The Court Interpreters Advisory Panel recommends the amendment of rule 2.893 of the California Rules of Court and revisions to four forms to conform with those changes.

**Recommendation:** The Court Interpreters Advisory Panel recommends that the Judicial Council, effective January 1, 2025:

1. Amend California Rules of Court, rule 2.893 to incorporate revised statutory language and to clarify the processes for qualification and appointment of provisionally qualified and temporary interpreters;
2. Revise *Procedures to Appoint a Noncertified or Nonregistered Spoken Language Interpreter as Either Provisionally Qualified or Temporary* (form INT-100-INFO) by renaming it *Procedures to Appoint a Noncertified or Nonregistered Spoken Language Interpreter* and reorganizing the contents to track the amended rule of court;
3. Revise *Qualifications of a Noncertified or Nonregistered Spoken Language Interpreter* (form INT-110) by renaming it *Provisional Qualification of Noncertified or Nonregistered Spoken Language Interpreter*, adding revised requirements for provisional qualification, and streamlining the contents of the form;
4. Revise *Certification of Unavailability of Certified or Registered Interpreter* (form INT-120) by renaming it *Certification of Unavailability of Certified or Registered Interpreter and Availability of Provisionally Qualified Interpreter*, streamlining the options to demonstrate a diligent search, reorganizing the certification section, and removing two pages of instructions; and
5. Revise *Temporary Use of a Noncertified or Nonregistered Spoken Language Interpreter* (form INT-140) by renaming it *Temporary Qualification of Noncertified or Nonregistered Spoken Language Interpreter*, revising the caption to better track other Judicial Council forms in this set, and amending the

findings and order to reflect the requirements of rule 2.893.

#### [24-144](#)

### **Rules and Forms | Criminal Law and Family Law: Changes to Form MIL-100 (Action Required)**

**Summary:** The Family and Juvenile Law Advisory Committee and Criminal Law Advisory Committee recommend revising form MIL-100. The Family and Juvenile Law Advisory Committee recommends revising form MIL-100 to implement the requirements of Family Code section 211.5, which was added by Senate Bill 1182 (Stats. 2022, ch. 385). The changes allow the court to comply with section 211.5 when the form is filed in a family law case involving a veteran. The Criminal Law Advisory Committee recommends additional revisions to form MIL-100 to clarify procedures under Penal Code section 858 when the form is filed in a criminal case and to reference treatment options for pretrial diversion under Penal Code section 1001.80. The committees also recommend updating and reformatting the information in the form for improved readability and usefulness.

**Recommendation:** Effective January 1, 2025, the Family and Juvenile Law Advisory Committee and Criminal Law Advisory Committee recommend revising *Notification of Military/Veteran/Reserve/Active Status* (form MIL-100) to implement Family Code section 211.5, which was added by Senate Bill 1182 (Stats. 2022, ch. 385). In addition, the committees recommend revising the form to clarify procedures under Penal Code section 858 when the form is filed in a criminal case, and update and reformat information on the form for legal accuracy and improved readability.

#### [24-132](#)

### **Rules and Forms | Criminal Law: Firearm and Body Armor Prohibitions (Action Required)**

**Summary:** The Criminal Law Advisory Committee recommends revising six criminal forms to incorporate firearm and body armor prohibitions enacted in recent legislation. The committee also recommends revisions to the plea and firearm relinquishment forms to reflect new procedures on firearm relinquishment, clarify prohibited items and relinquishment requirements, and refer to the possibility of a lifetime prohibition on firearm possession for misdemeanor domestic violence offenses. Finally, the committee recommends additional revisions to the felony plea form based on other statutory changes, and to the criminal protective order forms based on stakeholder suggestions.

**Recommendation:** The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Revise *Plea Form, With Explanations and Waiver of Rights--Felony* (form CR-101) to advise defendants about body armor, firearm, and ammunition-related prohibitions; delete references to the Division of Juvenile Justice; and update information related to prison commitments based on parole violations;
2. Revise *Domestic Violence Plea Form, With Waiver of Rights--Misdemeanor* (form CR-102) to advise defendants about and clarify

- body armor, firearm, and ammunition-related prohibitions;
3. Revise *Criminal Protective Order--Domestic Violence* (form CR-160) and *Criminal Protective Order--Other Than Domestic Violence* (form CR-161) to advise defendants about body armor prohibitions and relinquishment and to clarify the item related to additional protected persons;
  4. Revise *Order to Surrender Firearms in Domestic Violence Case* (form CR-162) to advise defendants about body armor prohibitions and relinquishment; and
  5. Revise *Prohibited Persons Relinquishment Form Findings* (form CR-210) to advise defendants about body armor prohibitions and to align the form with statutory changes to the firearm relinquishment procedure.

[24-037](#)**Rules and Forms | Criminal Law: Parole Period Advisement (Action Required)**

**Summary:** The Criminal Law Advisory Committee recommends amending rule 4.433 of the California Rules of Court to add a reference to the parole periods described in Penal Code section 3000.01. The recommended addition to the rules is to the provision on the sentencing judge's advisement to the defendant about the parole period to be served after expiration of the sentence. The proposed amendment reflects a legislative change and is intended to guide sentencing judges in accurately informing defendants of relevant parole periods.

**Recommendation:** The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2025, amend California Rules of Court, rule 4.433 to add a reference to the parole periods described in Penal Code section 3000.01 to the provision on the sentencing judge's advisement to the defendant about the parole period to be served after expiration of the sentence.

[24-154](#)**Rules and Forms | Family and Juvenile Law: Recognition and Enforcement of Tribal Court Child Custody Orders (Action Required)**

**Summary:** The Tribal Court-State Court Forum and the Family and Juvenile Law Advisory Committee recommend that the Judicial Council approve two new forms and revise four existing forms to clarify that the requirement to recognize and enforce child custody orders under the provisions of the Uniform Child Custody Jurisdiction and Enforcement Act (found in Family Code sections 3400-3465) applies to custody orders issued by a tribal court. Tribal court judges report that they have experienced problems having their child custody orders registered and enforced because the existing form refers only to out-of-state custody orders and does not reference tribal court orders.

**Recommendation:** The Tribal Court-State Court Forum and the Family and Juvenile Law Advisory Committee recommend that the Judicial Council, effective January 1, 2025:

1. Approve *How to Register and Request Enforcement of Your Out-of-State or Tribal Custody Order* (form FL-580-INFO) to set out the process and requirements for registration and enforcement of these orders;

2. Approve *Petition for Enforcement of Out-of-State or Tribal Custody Order and Application for Warrant to Take Physical Custody of Child* (form FL-581) for optional use when there has been a breach of a registered out-of-state or tribal child custody order;
3. Revise *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105/GC-120) and *Attachment to Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105(A)/GC-120(A)) to include tribal court orders and accommodate use in juvenile proceedings;
4. Revise *Registration of Out-of-State Custody Order* (form FL-580) to include reference to tribal court orders in the title and throughout the body of the form and allow use in family law, guardianship, or juvenile proceedings in which a child custody order is made; and
5. Revise *Request for Hearing Regarding Registration of Out-of-State Custody Decree* (form FL-585) to include tribal court orders and change the language in the title from “decree” to “order” to be consistent with language used in other forms and in the statute.

## [24-162](#)

### Rules and Forms | Family and Juvenile Law: Technical Changes (Action Required)

**Summary:** Judicial Council staff have noted minor errors in five forms and recommend revising them to make nonsubstantive technical changes and corrections to improve their accuracy and to avoid causing confusion for court users, clerks, and judicial officers.

**Recommendation:** Judicial Council staff recommend that the Judicial Council, effective January 1, 2025:

1. Revise *Continuation of Property Declaration* (form FL-161) to:
  - Substitute the correct form number;
  - In the footer on page 1, state, “Form Adopted for Mandatory Use”; and
  - Add “(mm/dd/yyyy)” to the “DATE INCURRED” column on page 2 for consistency with the “DATE ACQUIRED” column on page 1;
2. Revise *Declaration Regarding Address Verification--Postjudgment Request to Modify a Child Custody, Visitation, or Child Support Order* (form FL-334) to:
  - Update the format of the caption;
  - Correct item 3a to delete the duplicate word “current”;
  - Correct item 3b(1) so that the language is consistent with the language in item 3a about the time frame within which the party obtained the address for service, as follows: “~~I contacted the other party directly within the past 30 days and he or she gave me the above address. The other party gave me the address listed in item 3a within 30 days before the request was served~~”;
  - Correct item 3b(2) similarly, as follows: “~~I have been at that address in connection with a custody and visitation or other matter within the past 30 days. I have been at the address listed in item 3a within 30 days before the request was served~~”; and

- Revise item 3b(4) to replace “he or she” with “the other party” so that the item is gender neutral;
- 3. Revise *Order for Child Support Security Deposit and Evidence of Deposit* (form FL-400) to replace the terms “obligor” and “obligee” with, respectively, “parent ordered to pay support” and “person ordered to receive support” to be consistent with the updated terminology in other governmental child support forms approved by the council effective January 1, 2020 (e.g., *Stipulation and Order* (form FL-625));
- 4. Revise *Background on Release of Information to Medical Board of California* (form JV-228-INFO) at item 1 to correct “renewing the data” to “reviewing the data”; and
- 5. Revise *Order on Request to Reschedule Restraining Order Hearing* (form JV-253) to:
  - Correct the title of the form in the footer on pages 2 and 3 by removing the word “Temporary” as the form is used to reschedule restraining order hearings and the inclusion of the word “temporary” in the footer on these pages is in error; and
  - Correct item 4b on page 1 by changing “retraining order” to “restraining order.”

[24-113](#)**Rules and Forms | Judicial Branch Education: Fairness and Access Requirements (Action Required)**

**Summary:** Rule 10.469 of the California Rules of Court has generated some confusion about fairness and access education requirements for judicial officers. Therefore, the Center for Judicial Education and Research Advisory Committee proposes adopting rule 10.465 and amending rule 10.469 to clarify those education requirements. The proposal also makes related technical changes to rules 10.461 and 10.462.

**Recommendation:** The Center for Judicial Education and Research Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Adopt California Rules of Court, rule 10.465 and amend rule 10.469 to clarify existing fairness and access education requirements for judicial officers; and
2. Amend rules 10.461 and 10.462 to implement necessary related technical changes.

[24-150](#)**Rules and Forms | Juvenile Law: Harm of Removal (Action Required)**

**Summary:** To implement recent legislation creating new factors to be considered by the juvenile court at a detention hearing, the Family and Juvenile Law Advisory Committee proposes amending three rules and revising one Judicial Council form, effective January 1, 2025. Senate Bill 578 (Ashby; Stats. 2023, ch. 618) amended Welfare and Institutions Code section 319 to require the court to consider the impact on the child when being separated from their parent or guardian at a detention hearing. The proposed changes to the rules and form related to the detention hearing address the



new reporting requirements and clarify the court's role in mitigating harm to the child related to removal from their home.

**Recommendation:** The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Amend rule 5.674 of the California Rules of Court to address new reporting requirements created by SB 578;
2. Amend rule 5.676 of the California Rules of Court to update reporting requirements and to reduce statutory redundancy;
3. Amend rule 5.678 of the California Rules of Court to address minor technical updates to references to subdivision numbers in section 319 renumbered by SB 578 and to provide clarification of a new determination on the child's placement created by SB 578; and
4. Revise *Findings and Orders After Detention Hearing* (form JV-410) to conform it to new requirements related to SB 578.

## [24-159](#)

### **Rules and Forms | Juvenile Law: Restraining Orders (Action Required)**

**Summary:** The Family and Juvenile Law Advisory Committee recommends amending several California Rules of Court, and revising several forms to conform to recent statutory changes that impact juvenile restraining orders. Assembly Bill 1621 (Gipson; Stats. 2022, ch. 76) redefines "firearm precursor parts" and Assembly Bill 92 (Connolly; Stats. 2023, ch. 232) specifies that a person who is prohibited from possessing firearms is also prohibited from possessing, owning, or buying body armor. The committee also proposes a new notice of hearing form that is separate from the temporary restraining order forms and a new rule clarifying the requirement that the juvenile court that has jurisdiction of a child or youth must hear requests for restraining orders initiated by or brought against the child or youth.

**Recommendation:** The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Adopt rule 5.632 to clarify the requirement that the juvenile court that has jurisdiction of a child must hear requests for civil harassment, work violence prevention, and domestic violence protective orders;
2. Amend rules 5.620, 5.625, and 5.630 to remove "Notice of Court Hearing and" from the titles of forms JV-250 and JV-260 referenced in those rules, and add a reference to recommended new *Notice of Court Hearing* (form JV-249) in rules 5.625 and 5.630;
3. Amend rule 5.630 to clarify that a restraining order may be terminated by using *Order to Change or End Restraining Order After Hearing--Juvenile* (form JV-257) and to add that when a juvenile dependency case is closed, *Juvenile Restraining Order After Hearing* (form JV-255) may be modified under rule 5.92;
4. Adopt *Notice of Court Hearing* (form JV-249) as a mandatory form to provide notice of a court hearing on a restraining order request;

5. Revise *Request for Juvenile Restraining Order* (form JV-245) with the new definition of firearm precursor part and with information on a potential order prohibiting the possession of body armor;
6. Revise *Response to Request for Juvenile Restraining Order* (form JV-247) to include a reference to the recommended new *Notice of Court Hearing* (form JV-249) and to add an item on the prohibition on body armor;
7. Revise *Notice of Court Hearing and Temporary Restraining Order--Juvenile* (form JV-250) with a new title, *Temporary Restraining Order--Juvenile*. The form would also be revised to include the new definition of firearm precursor part and an order prohibiting the possession of body armor. It would also be revised to remove the notice portion of the form;
8. Revise *Juvenile Restraining Order After Hearing* (form JV-255) to include the new definition of firearm precursor part and to include an order prohibiting the possession of body armor;
9. Revise *Change to Restraining Order After Hearing--Juvenile* (form JV-257) with a new title, *Order to End or Change Restraining Order After Hearing*, and convert the form into a plain language form;
10. Revise *Request for Juvenile Restraining Order Against a Child* (form JV-258) to include the new definition of firearm precursor part, add information on a potential order prohibiting body armor, and remove “Notice of Court Hearing and” from the title of form JV-260 in the instructional box at the end of the form;
11. Revise *Response to Request for Juvenile Restraining Order Against a Child* (form JV-259) at item 9 to remove “Notice of Court Hearing and” from the title of form JV-260 and to add a new item on the prohibition on body armor;
12. Revise *Notice of Court Hearing and Temporary Restraining Order Against a Child* (form JV-260) with a new title, *Temporary Restraining Order Against a Child*, revise the form to include the new definition of firearm precursor part and an order prohibiting the possession of body armor, and remove the notice portion of the form;
13. Revise *Juvenile Restraining Order After Hearing--Against a Child* (form JV-265) with a new title, *Juvenile Restraining Order Against a Child--Order After Hearing*, and include in the form the new definition of firearm precursor part and an order prohibiting the possession of body armor;
14. Revise *Proof of Personal Service* (form JV-268) to include recommended new *Notice of Court Hearing* (form JV-249), to remove “Notice of Court Hearing and” from the titles of forms JV-250 and JV-260, and to remove the CLETS identifier on the footer of the form; and
15. Revise *Prohibited Items Finding and Orders* (form JV-272) to remove “Notice of Court Hearing and” from the titles of forms JV-250 and JV-260.

[24-136](#)**Rules and Forms | Probate Conservatorship: Care Plan  
(Action Required)**

**Summary:** To implement recent legislation, the Probate and Mental Health Advisory Committee recommends revising one form and adopting one form for mandatory use by a conservator of the person to prepare and file the confidential conservatorship care plan required by Probate Code section 2351.2, effective January 1, 2025. As required by Probate Code section 2352.5, the revised form also includes the conservator's determination of the conservatee's level of care.

**Recommendation:** The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Revise form GC-355 to retitle it as *Confidential Conservatorship Care Plan--Part 1*, incorporate the elements of the care plan required by Probate Code section 2351.2(b), and provide instructions to the conservator for completing, delivering, and filing the plan.
2. Adopt *Confidential Conservatorship Care Plan--Part 2 (Medical Information)* as form GC-356 to capture the confidential medical information required in the care plan by section 2351.2(b) separately from the other information in the plan to promote the conservator's compliance with the requirement in section 2351.2(a)(1)(B) to exclude confidential medical information from copies of the plan delivered to the conservatee's spouse or registered domestic partner and relatives.

[24-155](#)**Rules and Forms | Probate Conservatorship: Confidential  
Declaration Forms (Action Required)**

**Summary:** The Probate and Mental Health Advisory Committee recommends adopting one form, revising one form, and revoking and replacing one form for use as declarations regarding the abilities and capacities of a probate conservatee or proposed conservatee. This recommendation updates the forms to conform to the law as amended by recent legislation, including Assembly Bill 1194 (Stats. 2021, ch. 417) and Assembly Bill 1663 (Stats. 2022, ch. 894), and makes the forms easier for professional declarants to use to communicate their conclusions to the court.

**Recommendation:** The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Adopt *Confidential Declaration on Medical Ability to Attend Hearing--Probate Conservatorship* (form GC-325) for use by a medical or religious practitioner to make a declaration regarding a person's ability to attend a hearing;
2. Revise *Capacity Declaration--Conservatorship* (form GC-335) to:
  - Retitle the form as *Confidential Capacity Assessment and Declaration--Probate Conservatorship*;
  - Remove the content regarding the medical ability of a conservatee or proposed conservatee to attend a hearing;

- Focus a clinician’s assessment and declaration on the aspects of a person’s mental capacity relevant to the issues raised in the proceeding in which the declaration is to be filed;
  - Use language that allows clearer communication of clinical conclusions to legal audiences; and
  - Add content regarding capacity to consent to placement and medication to treat major neurocognitive disorders that is currently on form GC-335A; and
3. Revoke *Major Neurocognitive Disorder Attachment to Capacity Declaration--Conservatorship* (form GC-335A) and replace with a new optional form, *Everyday Activities Attachment to Confidential Capacity Assessment and Declaration--Probate Conservatorship* (form GC-335A), to allow a clinician or other professional to offer conclusions regarding the person’s ability to perform everyday activities.

### [24-151](#)

#### **Rules and Forms | Probate Guardianship: Participation of a Minor Ward in Court (Action Required)**

**Summary:** The Probate and Mental Health Advisory Committee recommends amending rule 7.1016 of the California Rules of Court to conform to Senate Bill 654 (Stats. 2021, ch. 768, § 2), which amended Family Code section 3042 to place additional conditions on a minor child’s participation in court or testimony in proceedings, including probate *guardianships of the person*, that address child custody or visitation. The committee also recommends amending the rule to conform more closely to statute by limiting its application to specified proceedings and expanding its protections to apply to wards who are parties, as well as to express its requirements more clearly.

**Recommendation:** The Probate and Mental Health Advisory Committee recommends that the Judicial Council amend California Rules of Court, rule 7.1016, effective January 1, 2025, to:

- Bar a court from permitting a ward to address the court in the presence of the parties absent a finding on the record that doing so would be in the ward’s best interest;
- Require specified professionals to inform the court if they become aware that a ward has changed their mind about addressing the court;
- Expand the rule’s protections to apply to wards who are parties;
- Limit the scope of the rule’s application to proceedings; and
- Express the rule’s requirements more clearly.

### [24-157](#)

#### **Rules and Forms | Protective Orders: Implementation of Body Armor Restrictions Under Assembly Bill 92 (Action Required)**

**Summary:** Effective January 1, 2024, under Assembly Bill 92 (Stats. 2023, ch. 232) a person prohibited from possessing firearms under state law is also prohibited from possessing, owning, or buying body armor. To implement AB 92, the Family and Juvenile Law Advisory Committee recommends revisions to several domestic

violence restraining order forms to include body armor prohibitions.

**Recommendation:** The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2025, revise nine existing Judicial Council forms to implement Assembly Bill 92:

- *Confidential Information for Law Enforcement* (form CLETS-001);
- *Request for Domestic Violence Restraining Order* (form DV-100);
- *Notice of Court Hearing* (form DV-109);
- *Temporary Restraining Order* (form DV-110);
- *Response to Request for Domestic Violence Restraining Order* (form DV-120);
- *How Can I Respond to a Request for Domestic Violence Restraining Order* (form DV-120-INFO);
- *Restraining Order After Hearing (Order of Protection)* (form DV-130);
- *Can a Domestic Violence Restraining Order Help Me?* (form DV-500-INFO); and
- *Emergency Protective Order (CLETS-EPO)* (form EPO-001).

## [24-156](#)

### **Rules and Forms | Protective Orders: Implementation of Senate Bill 459 (Action Required)**

**Summary:** To implement Senate Bill 459 (Stats. 2023, ch. 874), the Family and Juvenile Law Advisory Committee recommends the adoption of a new series of domestic violence restraining order forms to allow either party to request to change or end a domestic violence restraining order. The proposal also recommends changes to existing family law forms and a family law rule of court to reflect the new proposed process. The recommended changes will help parties, attorneys, and court professionals understand the procedures to modify or terminate orders made in a domestic violence restraining order.

**Recommendation:** To implement the requirements of SB 459, the Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Amend rule 5.92 of the California Rules of Court to reflect that new forms are to be used for requesting a modification of an existing domestic violence restraining order and to reflect other recent changes in law;
2. Adopt eight new domestic violence (DV) forms:
  - *Request to Change or End Restraining Order* (form DV-300);
  - *Request to Change Child Custody and Visitation Orders* (form DV-305);
  - *Notice of Court Hearing and Temporary Order to Change or End Restraining Order* (form DV-310);
  - *Request to Reschedule Hearing to Change or End Restraining Order* (form DV-315);
  - *Order to Reschedule Hearing to Change or End Restraining Order* (form DV-316);

- *Response to Request to Change or End Restraining Order* (form DV-320);
  - *Response to Request to Change Child Custody and Visitation Orders* (form DV-325); and
  - *Order on Request to Change or End Restraining Order* (form DV-330);
3. Approve one new DV form, *How Do I Ask to Change or End a Domestic Violence Restraining Order?* (form DV-300-INFO);
  4. Revise one DV form, *City and State Where Children Lived* (form DV-105(A));
  5. Revise four family law (FL) forms to clarify they are not to be used to request a modification of an existing domestic violence restraining order:
    - *Request for Order* (form FL-300);
    - *Information Sheet for Request for Order* (form FL-300-INFO);
    - *Responsive Declaration to Request for Order* (form FL-320); and
    - *Information Sheet: Responsive Declaration to Request for Order* (form FL-320-INFO); and
  6. Revoke two existing forms:
    - *Findings and Order to Terminate Restraining Order After Hearing (CLETS-CANCEL)* (form DV-400); and
    - *How Do I Ask to Change or End a Domestic Violence Restraining Order After Hearing?* (form DV-400-INFO).

## [24-167](#)

### **Rules and Forms | Protective Orders: Revisions to Civil Forms to Implement New Law (Action Required)**

**Summary:** The Civil and Small Claims Advisory Committee recommends the revision of 52 protective order forms to implement three significant changes to the law. First, changes are needed to all the restraining order form series, including the Gun Violence, Civil Harassment, Elder Abuse, Workplace Violence, and Private Postsecondary School Violence forms, to implement a new law prohibiting the possession of body armor by those who are prohibited from possessing firearms. Second, further changes are needed to gun violence restraining order forms to reflect a new law that permits the acquisition of body armor to be considered as evidence in determining whether to issue such a restraining order. Finally, additional changes are needed to certain workplace violence restraining order forms to implement new laws that add harassment as a basis for such orders, permit collective bargaining representatives to petition for orders, and allow the employee who suffered the harassment, violence, or threat of violence to opt out of being named in orders.

**Recommendation:** The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2025, revise the following protective order forms in response to recent legislative amendments:

- *Request for Civil Harassment Restraining Orders* (form CH-100);
- *Can a Civil Harassment Restraining Order Help Me?* (form CH-100-INFO);
- *Notice of Court Hearing* (form CH-109);

- *Temporary Restraining Order* (form CH-110);
- *Response to Request for Civil Harassment Restraining Orders* (form CH-120);
- *How Can I Respond to a Request for Civil Harassment Restraining Orders?* (form CH-120-INFO); *Civil Harassment Restraining Order After Hearing* (form CH-130);
- *Request for Elder or Dependent Adult Abuse Restraining Orders* (form EA-100);
- *Can a Restraining Order to Prevent Elder or Dependent Adult Abuse Help Me?* (form EA-100-INFO);
- *Notice of Court Hearing* (form EA-109);
- *Temporary Restraining Order* (form EA-110);
- *Response to Request for Elder or Dependent Adult Abuse Restraining Orders* (form EA-120);
- *How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders?* (form EA-120-INFO);
- *Elder or Dependent Adult Abuse Restraining Order After Hearing* (form EA-130);
- *Gun Violence Emergency Protective Order* (form EPO-002);
- *Response to Gun Violence Emergency Protective Order* (form GV-020);
- *How Can I Respond to a Gun Violence Emergency Protective Order?* (form GV-020-INFO);
- *Gun Violence Restraining Order After Hearing on EPO-002* (form GV-030);
- *Petition for Gun Violence Restraining Order* (form GV-100);
- *Can a Gun Violence Restraining Order Help Me?* (form GV-100-INFO);
- *Notice of Court Hearing* (form GV-109);
- *Temporary Gun Violence Restraining Order* (form GV-110);
- *Response to Petition for Gun Violence Restraining Order* (form GV-120);
- *How Can I Respond to a Petition for a Gun Violence Restraining Order?* (form GV-120-INFO);
- *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125);
- *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (form GV-130);
- *Notice of Hearing on Request to Renew Gun Violence Restraining Order* (form GV-710);
- *Petition for Private Postsecondary School Violence Restraining Orders* (form SV-100);

- *How Do I Get an Order to Prohibit Private Postsecondary School Violence?* (form SV-100-INFO);
- *Notice of Court Hearing* (form SV-109);
- *Temporary Restraining Order* (form SV-110);
- *Response to Petition for Private Postsecondary School Violence Restraining Orders* (form SV-120);
- *How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders?* (form SV-120-INFO);
- *Private Postsecondary School Violence Restraining Order After Hearing* (form SV-130);
- *Petition for Workplace Violence Restraining Orders* (form WV-100);
- *How Do I Get an Order to Prohibit Workplace Violence?* (form WV-100-INFO);
- *Notice of Court Hearing* (form WV-109);
- *Temporary Restraining Order* (form WV-110);
- *Request to Continue Court Hearing* (form WV-115);
- *Order on Request to Continue Hearing* (form WV-116);
- *Response to Petition for Workplace Violence Restraining Orders* (form WV-120);
- *How Can I Respond to a Petition for Workplace Violence Restraining Orders?* (form WV-120-INFO);
- *Workplace Violence Restraining Order After Hearing* (form WV-130);
- *Proof of Personal Service* (form WV-200);
- *Proof of Service of Response by Mail* (form WV-250);
- *Proof of Service of Order After Hearing by Mail* (form WV-260);
- *Request to Renew Restraining Order* (form WV-700);
- *Notice of Hearing to Renew Restraining Order* (form WV-710);
- *Request to Reschedule Hearing to Renew Restraining Order* (form WV-715);
- *Order to Reschedule Hearing to Renew Restraining Order* (form WV-716);
- *Response to Request to Renew Restraining Order* (form WV-720); and
- *Order Renewing Workplace Violence Restraining Order* (form WV-730).



[24-140](#)**Rules and Forms | Traffic: Ability-to-Pay Request Form and Court Order (Action Required)**

**Summary:** The Traffic Advisory Committee recommends revising two ability-to-pay forms to incorporate options currently offered through the court's online ability-to-pay tool, MyCitations. Multiple stakeholders have requested the same options as MyCitations. Specifically, stakeholders have requested the ability to offer a plea on the form, instead of requiring litigants to go to court.

**Recommendation:** The Traffic Advisory Committee recommends the Judicial Council, effective January 1, 2025:

1. Revise *Can't Afford to Pay Fine: Traffic and Other Infractions* (form TR-320/CR-320) to expand the types of public benefits listed and to provide an option for a litigant to enter a plea of guilty or no contest; and
2. Revise *Can't Afford to Pay Fine: Traffic and Other Infractions (Court Order)* (form TR-321/CR-321) by adding a plea section where the court can indicate whether the litigant's plea is accepted, rejected, or otherwise moot because of a previous adjudication.

[24-143](#)**Rules and Forms | Traffic: Instructions for Notice to Appear and Related Forms (Action Required)**

**Summary:** The Traffic Advisory Committee recommends revising the manual of instructions for the notice to appear and related forms (form TR-INST) to improve clarity and consistency. The revisions include technical amendments and corrections and respond to suggestions from forms users.

**Recommendation:** The Traffic Advisory Committee recommends that the Judicial Council, effective January 1, 2025, revise *Notice to Appear and Related Forms* (form TR-INST) to:

1. Clarify in section 1.010 that the defendant must respond to the citation (as opposed to answer allegations);
2. Remove the word "paper" in section 2.010 to allow for electronic service. Although electronic service is not yet an option, the proposal removes the word "paper" in this section so that form TR-INST is not inadvertently inconsistent with electronic service in the future;
3. Add information in section 4.050 about the "Tab Area" allowing for perforation at the top or bottom of the citation;
4. Clarify in section 6.040 how officers should complete the top of form TR-130 and, specifically, the circumstances under which a particular box should be checked; and
5. Make other minor technical changes to improve clarity and consistency.

[24-142](#)**Rules and Forms | Traffic: Mandatory Reminder Notices--Infraction Cases (Action Required)**

**Summary:** The Traffic Advisory Committee recommends amending a rule of court to clarify the procedures for sending infraction reminder notices. The committee also recommends adding an exception to the mandatory notice procedures when (1) the defendant does

not have a valid physical mailing address or (2) the court does not have the necessary information (a litigant's email address or mobile number) or the technological capability to send a notice electronically. Additionally, the committee recommends amendments to the rule to improve readability and to comply with current law.

**Recommendation:** The Traffic Advisory Committee recommends that the Judicial Council, effective January 1, 2025, amend California Rules of Court, rule 4.107 to:

- Specify that the rule applies to all infractions, not just infractions under the Vehicle Code;
- Add an exception to the infraction reminder notice requirement when a defendant does not have a valid physical mailing address or when electronic notice is not feasible;
- Consolidate procedures in subdivision (b) of the rule.
- Change the civil assessment amount from \$300 to \$100; and
- Eliminate outdated consequences for failure to appear or pay.

#### [24-101](#)

#### **Trial Courts | Standard 2.2 Diversion Reporting (Action Required)**

**Summary:** The Court Executives Advisory Committee recommends amending standard 2.2 of the California Standards of Judicial Administration, which gives guidance to trial courts on the types of matters that remove a case from court control for purposes of calculating computation of time related to case disposition time goals. Standard 2.2(m)(2)(C) specifies that felony or misdemeanor cases in diversion programs under Penal Code section 1000 et seq. should be excluded from time computation, but the standard is unclear as to whether only drug diversion or all diversion programs under the Penal Code should be excluded. Revising the language in the standard is intended to increase clarity, ensure consistent data reporting, and support council goals related to operational efficiency and improved caseflow management.

**Recommendation:** The Court Executives Advisory Committee recommends that the Judicial Council, effective January 1, 2025, amend standard 2.2(m)(2)(C) to ensure consistent data reporting across all cases in diversion programs.

## **DISCUSSION AGENDA**

#### [24-163](#)

#### **Judicial Branch Education | Environmental Law (No Report. No Action Required.)**

**Summary:** This presentation will focus on the importance of environmental law as an emerging area of legal practice. It will include an overview of environmental law and climate change, and the role of the California judiciary as a thought leader and leader in judicial education.

[24-139](#)**Court Facilities | Sustainability Efforts in Facilities Services  
(No Report. No Action Required.)**

**Summary:** This presentation will outline current sustainability efforts within Facilities Services, focusing on key projects and initiatives that enhance energy efficiency, reduce emissions, conserve water, and improve waste management. It will highlight major initiatives like the Deep Energy Retrofit study, statewide solar procurement and EV charger installations, and discuss future goals, long-term planning, and the benefits of collaboration for judicial infrastructure and the community.

**INFORMATION AGENDA (NO ACTION REQUIRED)**[24-158](#)**Judicial Council Update | Trial Court Facility Modifications Report  
for Quarter 4 and Annual Summary for Fiscal Year 2023-24**

**Summary:** This informational report to the Judicial Council outlines (1) allocations of facility modification funding made to improve trial court facilities in the fourth quarter (April through June) of fiscal year 2023-24, and (2) a summary of all funding allocations during the fiscal year. To determine allocations, the Trial Court Facility Modification Advisory Committee reviews and approves facility modification requests from across the state in accordance with the council's *Trial Court Facility Modifications Policy*.

[24-152](#)**Report to the Legislature | California Community Corrections  
Performance Incentives Act of 2009: Findings From the SB 678  
Program (2024)**

**Summary:** Penal Code section 1232 requires the Judicial Council to submit an annual report to the Legislature on the implementation of the California Community Corrections Performance Incentives Act of 2009 (Stats. 2009, ch. 608). The legislation seeks to alleviate state prison overcrowding by reducing the number of individuals on felony supervision who are sent there. The program is also designed to encourage county probation departments to use evidence-based supervision practices to accomplish these goals. This report includes background information about the act, describes policy changes that impacted the ongoing implementation of the program, and presents findings related to program outcomes. In previous years, the report included recommendations for program improvement. Recommendations have not been included in the past two reports due to those recommendations having been largely implemented.

[24-035](#)**Report to the Legislature | Report on Cash Flow Loans Made to  
Courts in 2023-24**

**Summary:** Under Government Code section 68502.6(d), the Judicial Council is required to report annually to the Legislature and the Department of Finance on all cash flow loans made to the trial courts. There were no loans made in fiscal year 2023-24. On or before August 30, 2024, Judicial Council staff submitted *Report on Cash Flow Loans Made to Courts in 2023-24*.

## Appointment Orders

[24-171](#)

**Appointment Orders since the last business meeting.**

## Adjournment

With the meeting's business completed, the Chief Justice adjourned the meeting at approximately 12:26 p.m.

*Respectfully submitted by Administrative Director Michelle Curran, Secretary to the Judicial Council, on November 15, 2024.*