



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-151

For business meeting on October 24, 2025

Title

Civil Practice and Procedure: Authorization to Appear on Behalf of a Party in Small Claims Cases

Report Type

Action Required

Effective Date

January 1, 2026

Rules, Forms, Standards, or Statutes Affected

Revise form SC-109

Date of Report

September 25, 2025

Recommended by

Civil and Small Claims Advisory Committee
Hon. Samantha P. Jessner, Chair

Contact

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Executive Summary

Authorization to Appear (form SC-109) implements Code of Civil Procedure section 116.540, which allows an individual to appear in small claims court on behalf of the plaintiff or defendant in certain circumstances. The Civil and Small Claims Advisory Committee recommends revising form SC-109 to ensure it fully complies with section 116.540.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, revise form SC-109 to ensure it complies with Code of Civil Procedure section 116.540.

The proposed revised form is attached at pages 7–8.

Relevant Previous Council Action

The council approved form SC-109 effective January 1, 2003, and last revised it effective January 1, 2007, to make it a plain-language form and change the form name.

Analysis/Rationale

Code of Civil Procedure section 116.540 allows an individual to appear in small claims court on behalf of the plaintiff or defendant in certain circumstances. Anyone appearing on another's behalf under section 116.540 must file a declaration stating that they meet the statutory requirements for their appearance. *Authorization to Appear* (form SC-109) currently does not reflect all the requirements of section 116.540. The committee recommends several revisions to ensure form SC-109 complies with the law.¹

Duties of employment

Section 116.540 allows an individual to appear on behalf of a business or organization if the individual is not employed solely to represent the business or organization in small claims court.² The individual must file a declaration stating that this requirement has been met.³

Form SC-109 currently explains in the instructions at the top of page 1 that “[y]ou cannot appear for a defendant or plaintiff if your only job is to represent him or her in small claims court,” but it does not require the person completing the form to declare that this requirement is met. The committee recommends revising items 3a through 3g to add, “Representing [the party] in small claims court is not the only duty of my job.”

Members of the armed forces

Section 116.540(e) allows an individual to appear on behalf of someone assigned to active duty in the U.S. armed forces if the person on active duty is assigned to a location more than 100 miles from the court where the action is proceeding or is otherwise unable to personally appear due to the performance of military duty. These requirements were different before January 1, 2023, when they were amended by Senate Bill 1311.⁴ The committee recommends revising item 3h to state the current requirements.

Additionally, section 116.540(e) requires an individual appearing on behalf of someone in the armed forces to declare that they have not been paid to appear and have not appeared in small claims court more than four times in the current calendar year. However, these conditions do not apply to someone employed by the United States or the State of California. The committee recommends revising item 3h on form SC-109 to add checkboxes specifying whether the applicant is an employee of the United States or California.

¹ The committee also proposes adding letter designations to each of the subitems in item 3.

² Code Civ. Proc., § 116.540(b) (applies to those appearing on behalf of a corporation), (c) (partnership or other party who is neither a corporation nor a natural person), (d) (sole proprietorship), (h) (owner of rental properties in California), & (i) (association created to manage a common interest development).

³ *Id.*, § 116.540(j).

⁴ Stats. 2022, ch. 620, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB1311.

People who are incarcerated

Section 116.540(f) allows an individual to appear on behalf of someone currently in a county jail, a Department of Corrections and Rehabilitation facility, or a Division of Juvenile Facilities [sic] facility. Form SC-109 currently refers to people who are “in a jail, a prison, or another detention facility,” rather than referring to facilities maintained by the specific entities named in the statute. To reduce confusion about which “detention facilities” qualify, the committee recommends revising item 3i on form SC-109 to refer to “a county jail, a Department of Corrections and Rehabilitation facility, or a county juvenile facility.” This language mirrors the statutory language, except “Division of Juvenile Facilities” has been replaced with “a county juvenile facility” to reflect the 2023 closure of the Division of Juvenile Justice.

Defendant owners of real property

Section 116.540(g) allows an individual to appear on behalf of a defendant who is an owner of real property and is not a resident of California. Form SC-109 currently does not include this category of defendants. The committee recommends adding item 3j to implement section 116.540(g).

Spouses and registered domestic partners

Section 116.540(k) allows a person to appear on behalf of their spouse, with court approval, if the claim is by or against both spouses and the represented spouse has consented. The associated language on form SC-109 currently refers to a “husband or wife.” The committee recommends revising item 3k to say “spouse” instead of “husband or wife” to comply with current drafting practices for Judicial Council forms. The committee also recommends adding “or registered domestic partner” to item 3k to make sure that users of the form are aware that registered domestic partners may appear on behalf of their partners.⁵

Parties requiring assistance

Section 116.540(l) states that a court may allow an individual to assist a party in small claims court if the party “cannot properly present their claim or defense and needs assistance.” A person appearing under this provision appears with the party, rather than on the party’s behalf.

The instructions at the top of page 1 of form SC-109 currently explain that “[y]ou may also use this form to ask the court for permission to help a plaintiff or defendant who cannot properly speak for himself or herself.” However, the only place on the form to make this request is the last checkbox in item 3, which simply says “Other (explain).”

The committee recommends revising form SC-109 to add item 4, which reads, “I ask the court to allow me to appear to assist a plaintiff or defendant who cannot properly present their claim or defense without assistance because.” Someone selecting this item must explain the reasons for their request because section 116.540 requires the court to “determine[] that a party cannot properly present their claim or defense and needs assistance.” To help form users understand

⁵ Code Civ. Proc., § 17(b)(12) (In the Code of Civil Procedure, “‘[s]pouse’ includes ‘registered domestic partner,’ as required by Section 297.5 of the Family Code.”).

how to complete the form if they are asking to appear to assist a party, the committee recommends adding the following instruction to item 3: “if you are asking to appear in court to assist a plaintiff or defendant who cannot properly present their claim or defense without assistance, skip this item and complete 4 instead.”

The committee also recommends revising the instructions at the top of the form to use the statutory phrase “cannot properly present their claim or defense” rather than “cannot properly speak for himself or herself.”

Policy implications

The recommended form revisions will ensure that form SC-109 correctly reflects the law. The recommended form revisions are consistent with the *Strategic Plan for California’s Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

Comments

The proposed revisions to form SC-109 circulated for public comment from April 14 to May 23, 2025, as part of the regular spring invitation-to-comment cycle. The proposal received eight comments: four from superior courts, one from the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee, one from a judicial officer, one from a legal aid organization, and one from a county bar association. Four commenters approved the proposal, two approved it if amended, and two did not indicate a position. A chart with the full text of the comments received and the committee’s responses is attached beginning at page 9.

Requiring the applicant to confirm their authorization

Form SC-109 currently must be signed by the person who is asking to appear on behalf of a party, but not by the party themselves. The committee requested comments on whether form SC-109 should be revised to include a signature line for the party on whose behalf the applicant will be appearing, or some other item confirming that the party has authorized the person to appear on their behalf.

Most of the commenters were in favor of adding some form of confirmation that the applicant has been authorized by the party they seek to represent. The commenters made two suggestions: (1) add an item asking the *party* to confirm that the applicant is authorized, or (2) add an item asking the *applicant* to confirm that they have been authorized.

The committee considered the comments and concluded that this issue should be addressed by revising the introductory sentence in item 3 to state, “I am authorized to appear” instead of “I am appearing.” The committee determined that requiring the party’s signature could make the form difficult to use because the form is often completed and submitted on the day the applicant appears in court on the party’s behalf. In this situation, an applicant likely would not have time to have the party sign the form. Additionally, the committee is not aware of existing problems in practice that might require adding a signature line for the party, such as concerns that

form SC-109 is being fraudulently submitted. The committee determined that it will be less confusing to have the applicant affirm their authorization as part of item 3 rather than adding a new item to the form. The question of whether the applicant is authorized to appear only applies to those applying to appear on the party's behalf (item 3), not those applying to assist the party (item 4).

Instructions for item 4

Item 4 is used when the applicant is appearing to assist a plaintiff or defendant who cannot properly present their claim or defense and needs assistance. The committee requested comments on whether item 4 should include additional instructions about when to use *Disability Accommodation Request* (form MC-410) and when to use form SC-109 to aid a plaintiff or defendant who needs assistance due to a disability.

Four commenters responded to this question, and two of those were in favor of supplementing the instructions for item 4. The Superior Court of Orange County suggested providing clear distinctions between the purposes of form SC-109 and form MC-410, examples of situations where each form applies, and guidance for users on how to decide which form to use, emphasizing that form MC-410 is specific to disability-related assistance. Additionally, the Superior Court of San Diego County suggested adding a note that the form is not confidential and the applicant should not include any medical information that they do not want made public. Two commenters (Orange County Bar Association and the Superior Court of San Bernardino County) stated that the proposed instructions are sufficient.

The committee considered the comments and determined that information about *Disability Accommodation Request* (form MC-410) should be provided in the standard form Request for Accommodations information box used on many Judicial Council forms. The committee recommends adding this box to the bottom of page 2 of form SC-109. The committee was concerned that including information about form MC-410 in the instructions for item 4 could be confusing in situations where the plaintiff or defendant needs assistance due to a disability but does not need the type of disability accommodations the court can provide. The committee also noted that form SC-109 is often filed on the same day as the applicant's appearance in court, while form MC-410 must be filed five days in advance. It would not be helpful to direct people to form MC-410 on the day they appear in court.

The committee also considered the suggestion to instruct form users not to include confidential medical information when completing item 4. The committee recommends revising the parenthetical for item 4 to instruct the user to "explain why the person needs assistance, keeping in mind that this form is not confidential." The committee was concerned that a more direct instruction not to include private or confidential information could be confusing because it may not be possible for some form users to explain why the plaintiff or defendant needs assistance without including sensitive information.

Alternatives considered

The committee did not consider the alternative of taking no action because revisions are needed to ensure form SC-109 reflects the law. To the extent that Code of Civil Procedure section 116.540 does not require the proposed revisions, the committee considered taking no action but ultimately determined that the revisions will benefit the courts and court users. As discussed above, the committee considered several alternatives suggested by the commenters.

Fiscal and Operational Impacts

The revised form will require education and possibly some changes to computerized case management systems. Because the revisions are required to ensure the form reflects current law, these operational impacts cannot be avoided.

Attachments

1. Form SC-109, at pages 7–8
2. Chart of comments, at pages 9–16

This form is used to tell the court you are authorized to appear for a plaintiff or defendant in a small claims case. You may also use this form to ask the court for permission to help a plaintiff or defendant who cannot properly present their claim or defense. If you are a lawyer, you can appear only as authorized by Code of Civil Procedure section 116.530.

After you fill out this form, file it with the small claims clerk at or before the trial.

Clerk stamps date here when form is filed.

DRAFT
07/21/2025
NOT APPROVED
BY COUNCIL

Fill in court name and street address:

Superior Court of California, County of

Fill in your case number and case name below:

Case Number:

Case Name:

1 Your name, address, and position:

Name: _____

Address: _____

Job title or relationship to the plaintiff or defendant you want to appear for or assist: _____

2 Who are you appearing for?

☐ A plaintiff in this case (name):

☐ A defendant in this case (name):

3 Tell us about the plaintiff or defendant you are appearing for.

I am authorized to appear for a (check one; if you are asking to appear in court to assist a plaintiff or defendant who cannot properly present their claim or defense without assistance, skip this item and complete ④ instead):

- a. ☐ **Corporation** and I am an employee, officer, or director of that corporation. Representing the corporation in small claims court is not the only duty of my job.
- b. ☐ **Partnership** and I am an employee, officer, director, or partner of that partnership. Representing the partnership in small claims court is not the only duty of my job.
- c. ☐ **Other business** (not a corporation, partnership, or sole proprietorship) and I am an employee, officer, or director of that business. Representing the business in small claims court is not the only duty of my job.
- d. ☐ **Government agency or other public entity** and I am an employee, officer, or director of that agency or entity. Representing the agency or entity in small claims court is not the only duty of my job.
- e. ☐ **Sole proprietorship** and I am an employee of that business. I am qualified to testify about business records made in the regular course of business at or near the time of the event. (Evid. Code, § 1271.) The content of the business records is the only issue in this case. Representing the business in small claims court is not the only duty of my job.
- f. ☐ **Owner of rental property in California** who employs me as a property agent. This claim is about the rental property I manage. Representing the owner in small claims court is not the only duty of my job.
- g. ☐ **Association** created to manage a common interest development and I am an agent, management company representative, or bookkeeper for that association. Representing the association in small claims court is not the only duty of my job.

(More options on next page)



- 3

h.

☐

Plaintiff who is assigned to active duty in the U.S. armed forces

in a location more than 100 miles from the court where the action is proceeding, or is otherwise unable to personally appear due to the performance of military duty, and (check one):

☐

I am not being paid to appear. I have not appeared in small claims court for other people more than 4 times in this calendar year.

☐

I am employed by the United States or the State of California. I am not being paid to appear, other than compensation I receive from the United States or the State of California.

i.

☐

Plaintiff or defendant who is in a county jail, a Department of Corrections and Rehabilitation facility, or a county juvenile facility now.

I am not being paid to appear. I have not appeared in small claims court for other people more than 4 times in this calendar year.

j.

☐

Defendant who is an owner of real property and is not a resident of California.

I am not being paid to appear. I have not appeared in small claims court for other people more than 4 times in this calendar year.

k.

☐

Spouse or registered domestic partner.

My spouse or registered domestic partner and I are both listed on this claim and agree that either of us can appear for the other. I ask the court to decide that I may appear on behalf of my spouse or registered domestic partner.
- 4

☐

I ask the court to allow me to appear to assist a plaintiff or defendant who cannot properly present their claim or defense without my assistance because (explain why the person needs assistance, keeping in mind that this form is not confidential):
- 5

☐

I declare under penalty of perjury under California state law that the information above is true and correct.

Date:
- Type or print your name
- Sign your name
-
- Request for Accommodations.** Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the trial. Contact the clerk’s office or go to courts.ca.gov/forms for Disability Accommodation Request (form MC-410). (Civil Code, § 54.8.)
- Rev. January 1, 2026
- Authorization to Appear
(Small Claims)
- SC-109, Page 2 of 2
- 8

SPR25-10

Civil Practice and Procedure: Authorization to Appear on Behalf of a Party in Small Claims Cases (Revise form SC-109)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	Bay Area Legal Aid by Rene Coe, Attorney, Equal Justice Works Fellow	A	We support the proposed revisions to form SC-109. Requiring the representative to sign a declaration confirming that they meet the requirements of Code of Civil Procedure section 116.540 promotes fairness and accountability in small claims proceedings, particularly in debt collection cases. This change helps ensure that only authorized individuals appear on behalf of parties, reducing the risk of abuse and protecting the integrity of the small claims process.	The committee appreciates the response. In light of all the comments received regarding whether to require confirmation that the party has approved the representative's appearance, the committee concluded that this issue should be addressed by revising the introductory sentence in item 3 to state, "I am authorized to appear" instead of "I am appearing." The committee determined that adding an item signed by the party could make the form difficult to use because it is often completed and submitted on the day the applicant appears in court on the party's behalf. The committee also determined that it will be less confusing to address the applicant's authorization as part of item 3 than to add a new item to the form. The question of whether the applicant is authorized to appear only applies to those applying to appear on the party's behalf (item 3), not those applying to assist the party (item 4).
2.	Commissioner Christine Copeland Superior Court of California, County of Santa Clara	A	What has always struck me about the Authorization to Appear is that it's backwards: the Plaintiff or Defendant does not authorize the non-party to appear for them, but instead, the non-party self-authorizes themselves to appear. Questions arise all the time in my court about the propriety of the nonparty's representations: (1) the Plaintiff cannot appear because they are shy; (2) my spouse cannot appear because they are busy; (3) my mom cannot appear because she has Alzheimer's but yes, she is aware of the claim she filed and she knew what she was signing when she signed the claim form; (4) etc.	The committee appreciates the response. In light of all the comments received regarding whether to require confirmation that the party has approved the representative's appearance, the committee concluded that this issue should be addressed by revising the introductory sentence in item 3 to state, "I am authorized to appear" instead of "I am appearing." The committee determined that adding an item signed by the party could make the form difficult to use because it is often completed and submitted on the day the applicant appears in court on the party's behalf. The committee also determined that it will be less confusing to address the applicant's authorization as part of item 3 than to add a new item to the form. The question of whether the applicant is authorized to appear only applies to those applying to appear on the party's behalf (item 3), not those applying to assist the party (item 4).

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

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Civil Practice and Procedure: Authorization to Appear on Behalf of a Party in Small Claims Cases (Revise form SC-109)

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	Commenter	Position	Comment	Committee Response
3.	Orange County Bar Association by Mei Tsang, President	A	Amendments address stated purpose. Do not need to add instructions for those seeking aid (could add to confusion) and recommend signature authorizing other party to appear.	In light of all the comments received regarding this issue, the committee is recommending that instead of including information about <i>Disability Accommodation Request</i> (form MC-410) in the instructions for item 4, the standard information box explaining form MC-410 should be added to the bottom of page 2 of form SC-109. In light of all the comments received regarding whether to require confirmation that the party has approved the representative's appearance, the committee concluded that this issue should be addressed by revising the introductory sentence in item 3 to state, "I am authorized to appear" instead of "I am appearing." The committee determined that it would be helpful to address this issue on the form in some way, but that it is not necessary to add a new item to the form to do so.
4.	Superior Court of California, County of Los Angeles by Stephanie Kuo	A	In response to the Judicial Council of California's ITC, "Civil Practice and Procedure: Authorization to Appear on Behalf of a Party in Small Claims Cases," the Court agrees with the proposal and has no other comments.	The committee appreciates the response.
5.	Superior Court of California, County of Orange Civil Operations Management by Janay Marks, Operations Analyst, Training & Analyst Group	NI	Q: Should Item 4 Include Different or Additional Instructions About When to Use Form MC-410 Versus SC-109? A: Yes, item 4 should provide: • Clear distinctions between the purposes of form SC-109 (representation in small claims) and form MC-410 (disability accommodation requests). • Examples of situations where each form applies.	In light of all the comments received regarding this issue, the committee is recommending that instead of including information about <i>Disability Accommodation Request</i> (form MC-410) in the instructions for item 4, the standard information box explaining form MC-410 should be added to the bottom of page 2 of form SC-109. The committee was concerned that including information about form MC-410 in the instructions for item 4 could be confusing in situations where the plaintiff or defendant needs assistance due to a disability but does not need the type of disability accommodations the court can provide. The committee also noted that form SC-109 is often filed on the same

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	Commenter	Position	Comment	Committee Response
			- Guidance for users on how to decide which form to use, emphasizing that form MC-410 is specific to disability-related assistance. Q: Should Form SC-109 Include a Signature Line for the Represented Party? A: Yes, adding a signature line is beneficial to: - Confirm the party's consent and avoid disputes about unauthorized representation. - Enhance the form's legal standing, ensuring compliance with section 116.540. - Alternative: If a signature line is not added, include a mandatory checkbox where the applicant declares they have obtained the represented party's authorization, coupled with a warning about the consequences of misrepresentation.	day as the applicant's appearance in court, while form MC-410 must be filed five days in advance. Form MC-410 may not be useful to some of those who are completing item 4. In light of all the comments received regarding whether to require confirmation that the party has approved the representative's appearance, the committee concluded that this issue should be addressed by revising the introductory sentence in item 3 to state, "I am authorized to appear" instead of "I am appearing." The committee determined that adding an item signed by the party could make the form difficult to use because it is often completed and submitted on the day the applicant appears in court on the party's behalf. The committee also determined that it will be less confusing to address the applicant's authorization as part of item 3 than to add a new item to the form. The question of whether the applicant is authorized to appear only applies to those applying to appear on the party's behalf (item 3), not those applying to assist the party (item 4).
6.	Superior Court of California, County of San Bernardino Staff Small Claims Landlord Tenant Committee	NI	Q: Does the proposal appropriately address the stated purpose? A: Yes Q: Should item 4 on form SC-109 include different or additional instructions about when to use form MC-410 and when to use form SC-109 to aid a plaintiff or defendant who needs assistance? A: Yes	The committee appreciates the response. In light of all the comments received regarding this issue, the committee is recommending that instead of including information about <i>Disability Accommodation Request</i> (form MC-410) in the instructions for item 4, the standard information box explaining form MC-410 should be added to the bottom of page 2 of form SC-109. The committee was concerned that including information about form MC-410 in the instructions for

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	Commenter	Position	Comment	Committee Response
			The draft provided provides clarity on when the party should use the MC-410 Q: Should form SC-109 be revised to include an item or a signature line stating that the party has authorized the applicant to appear on their behalf? A: Yes May not always apply. How would a business sign that the owner was authorized to appear for them? Would the owner have to sign twice? I like the explanation section. Q: Would the proposal provide cost savings? If so, please quantify A: No Q: What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? A: Training of LPA's 2 hours courtroom staff 2 hours	item 4 could be confusing in situations where the plaintiff or defendant needs assistance due to a disability but does not need the type of disability accommodations the court can provide. The committee also noted that form SC-109 is often filed on the same day as the applicant's appearance in court, while form MC-410 must be filed five days in advance. Form MC-410 may not be useful to some of those who are completing item 4. In light of all the comments received regarding whether to require confirmation that the party has approved the representative's appearance, the committee concluded that this issue should be addressed by revising the introductory sentence in item 3 to state, "I am authorized to appear" instead of "I am appearing." The committee determined that it would be helpful to address this issue in some way, but that it is not necessary to add a new item to the form to do so. The committee appreciates the information. The committee appreciates the information.

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			informing JO's of updates Update procedure manuals Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? A: Yes	The committee appreciates the information.
7.	Superior Court of California, County of San Diego by Mike Roddy, Executive Officer	AM	Q: Does the proposal appropriately address the stated purpose? A: Yes. Q: Should item 4 on form SC-109 include different or additional instructions about when to use form MC-410 and when to use form SC-109 to aid a plaintiff or defendant who needs assistance? A: Yes. Item 4 should include an advisal that the form is not confidential and that medical information should not be included. Propose the following changes: Item 4: "I am appearing to assist a plaintiff or defendant who is not listed in 3. I ask the court to decide that this person cannot properly present their claim or defense and needs assistance because (explain why the person needs assistance): NOTE: This form is not confidential . DO NOT INCLUDE any medical information that you do not want made public."	The committee appreciates the response. In light of all the comments received regarding this issue, the committee is recommending that instead of including information about <i>Disability Accommodation Request</i> (form MC-410) in the instructions for item 4, the standard information box explaining form MC-410 should be added to the bottom of page 2 of form SC-109. The committee is recommending that the instructions for completing item 4 state: "explain why the person needs assistance, keeping in mind that this form is not confidential." The committee was concerned that a more direct instruction not to include private or confidential information could be confusing because it may not be possible for some form users to explain why

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	Commenter	Position	Comment	Committee Response
			<i>“(If the plaintiff or defendant needs assistance because of a disability, they may want to should make a request for accommodations by contacting the clerk’s office or using Disability Accommodation Request (form MC-410). Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. (Civ. Code, § 54.8.)”</i> Q: Should form SC-109 be revised to include an item or a signature line stating that the party has authorized the applicant to appear on their behalf? A: Yes. Q: Would the proposal provide cost savings? If so, please quantify. A: No. Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? A: Updating internal procedures, training staff, and notifying judicial officers.	the plaintiff or defendant needs assistance without including sensitive information. In light of all the comments received regarding whether to require confirmation that the party has approved the representative’s appearance, the committee concluded that this issue should be addressed by revising the introductory sentence in item 3 to state, “I am authorized to appear” instead of “I am appearing.” The committee appreciates the information. The committee appreciates the information.

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	Commenter	Position	Comment	Committee Response
			Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? A: Yes, provided the final versions of the forms are provided at that time. Q: How well would this proposal work in courts of different sizes? A: It appears the proposal would work for courts of all sizes.	The committee appreciates the information. The committee appreciates the information.
8.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) (TCPJAC/CEAC Joint Rules Subcommittee)	AM	The JRS [Joint Rules Subcommittee] notes that the proposal is required to conform to a change of law. Suggested modification(s): Add check box item for the applicant to affirmatively indicate that they have been authorized by the party to appear on their behalf. Request for Specific Comments: 1. The proposed modifications of form SC-109 appropriately address the stated purpose.	The committee appreciates the response. In light of all the comments received regarding whether to require confirmation that the party has approved the representative's appearance, the committee the committee concluded that this issue should be addressed by revising the introductory sentence in item 3 to state, "I am authorized to appear" instead of "I am appearing." The committee determined that it will be less confusing to address the applicant's authorization as part of item 3 than to add a new item to the form. The question of whether the applicant is authorized to appear only applies to those applying to appear on the party's behalf (item 3), not those applying to assist the party (item 4). The committee appreciates the response.

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	Commenter	Position	Comment	Committee Response
			2. Item 4, as proposed, appropriately advises a plaintiff or defendant if they require additional assistance and identifies the forms and code sections applicable.	In light of all the comments received regarding this issue, the committee is recommending that instead of including information about <i>Disability Accommodation Request</i> (form MC-410) in the instructions for item 4, the standard information box explaining form MC-410 should be added to the bottom of page 2 of form SC-109.
			3. Requiring the applicant to affirmatively indicate in a checked box item that they have been authorized by the party to appear on their behalf is recommended and supported.	Please see the response to the “Suggested Modifications,” above, regarding whether to require confirmation that the party has approved the representative’s appearance.
			4. The proposed modifications to the form would not result in any significant cost savings.	The committee appreciates the information.
			5. Implementation of the proposed changes would require training of staff, updating of Case Management Systems, probable revision of processes and procedures.	The committee appreciates the information.
			6. Two months would be sufficient time to implement the proposed modifications.	The committee appreciates the information.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated