

Judicial Council of California

Meeting Minutes

Judicial Council

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Friday, October 24, 2025 10:10 AM Videoconference

CLOSED SESSION (RULE 10.6(b))—PLANNING, PERSONNEL, AND DISCUSSION PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE OPEN SESSION (RULE 10.6(a))—MEETING AGENDA

Attendance

Council Members

Present: 24 - Chief Justice Patricia Guerrero, Justice Carol A. Corrigan, Administrative Presiding Justice Brad R. Hill, Justice Stacy Boulware Eurie, Presiding Judge Bunmi O.

Awoniyi, Presiding Judge Maureen F. Hallahan, Presiding Judge Maria D. Hernandez, Presiding Judge Patricia L. Kelly, Presiding Judge Tamara L. Wood, Assistant Presiding Judge Ricardo R. Ocampo, Judge Maria Lucy Armendariz, Judge Charles S. Crompton, Judge Judith K. Dulcich, Judge Jeffrey C. Kauffman, Judge Ann C. Moorman, Judge Michael Rhoads, Commissioner Ryan Davis, Senator Thomas J. Umberg, Ms. Kate Bieker, Ms. Rachel W. Hill, Mr. Charles Johnson, Mr. Darrel E. Parker, Mr. Craig M. Peters, and Mr. David W. Slayton

Absent: 4 - Justice Joan K. Irion, Assembly Member Ash Kalra, Ms. Gretchen M. Nelson, and Ms. Dena Stone

Call to Order

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

Public Comment

Written comments were provided to the council members and filed in the record. Mr. Kai On, Ms. Kristal Keith, and Mr. C. J. Jones 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

25-004 **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 October meeting agenda.

CONSENT AGENDA

Approval of the Consent Agenda

A motion to approve all of the following items on the Consent Agenda was made by Presiding Judge Wood and seconded by Administrative Presiding Justice Hill; Chief Justice Guerrero and Justice Corrigan abstained from item 25-144. The motion was adopted.

25-009 Minutes of July 18, 2025, Judicial Council Meeting

25-163 Equal Access Fund | Distribution of Funds for CARE Act Legal Representation (Action Required)

Summary: The Legal Services Trust Fund Commission recommends approving the distribution of \$17,404,000 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 2025. The commission will distribute these funds as grants to qualified legal services projects and public defender offices to provide legal counsel for representation in CARE Act proceedings, and training and technical assistance to these legal providers and to the State Bar of California for administration of this program.

Recommendation: The Legal Services Trust Fund Commission recommends that the Judicial Council, effective October 24, 2025, approve the distribution of \$17,404,000 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 (Umberg; Stats. 2022, ch. 319) (Link A), as authorized by the Budget Act of 2025 (Stats. 2025, ch. 4) (Link B).

25-164 Equal Access Fund | Distribution of Funds for IOLTA-Formula **Grants and Partnership Grants (Action Required)**

<u>Summary:</u> The Legal Services Trust Fund Commission recommends 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-Formula Grants and Partnership Grants as authorized by the Budget Act of 2025 (Stats. 2025, ch. 4). 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 people and self-represented litigants to improve equal access and the fair administration of justice, as authorized by the Budget Act.

Recommendation: The Legal Services Trust Fund Commission recommends that the Judicial Council, effective October 24, 2025:

- 1. Approve the distribution of up to \$40,487,700 to the State Bar of California for the Equal Access Fund Interest on Lawyers' Trust Accounts (IOLTA)-Formula Grants and Partnership Grants (Link A), as authorized by the Budget Act of 2025 (Stats. 2025, ch. 4), including:
 - Up to \$772,600 for administration of the program by the State Bar;
 - Up to \$386,300 for retention by the Judicial Council for administration of the grant;
 - 90 percent of the total after administrative costs, or up to \$35,743,590, to be allocated through IOLTA-Formula Grants to provide legal services in civil matters for indigent persons, and 15 percent of the allocation to support centers that provide technical and legal assistance to the legal services providers;
 - 10 percent of the total after administrative costs, or \$3,971,510, 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 and Partnership Grant recipients are in Attachments A6 and A8, respectively, of the commission's distribution report, which is included as Attachment A to this report.

25-170 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 the approval of a distribution of \$5.25 million to the California Access to Justice Commission for grants to civil legal aid nonprofits, organizations to support the infrastructure and innovations needs of legal services in civil matters for indigent persons, and for administration of a tax-advantaged student loan repayment assistance program.

Recommendation: The Advisory Committee on Providing Access and Fairness recommends that the Judicial Council, effective October 24, 2025, approve a distribution of \$5.25 million to the California Access to Justice Commission for grants to civil legal aid nonprofits and administration of a tax-advantaged student loan repayment assistance program, as authorized by the Budget Act of 2025 (Stats. 2025, ch. 4) and Senate Bill 133 (Stats. 2023, ch. 34).

<u>25-171</u> **Judicial Branch Administration | Sabbatical Request for Judge Ronald Owen Kaye (Action Required)**

Summary: The Executive and Planning Committee recommends the approval of an unpaid sabbatical leave for Judge Ronald Owen Kaye, Superior Court of Los Angeles County, for the period of August 24, 2026, through January 8, 2027. During this sabbatical leave, Judge Kaye will participate as a visiting scholar at the Universidad de Granada and Universidad de Málaga through their respective law schools, meeting with and presenting lectures to students and faculty on multiple areas of U.S. and California civil and criminal law. Judge Kaye believes that this proposed sabbatical will enable him to return with a comparative analysis in this area, enriching the work of the mental health court while fostering outreach and relationship building for the California court system.

Recommendation: The Executive and Planning Committee recommends that the Judicial Council approve the request for an unpaid sabbatical leave for Judge Ronald Owen Kaye, Superior Court of Los Angeles County, for the period of August 24, 2026, through January 8, 2027.

25-128 **Jury Instructions | Criminal Jury Instructions (2025 Supplement)** (Action Required)

<u>Summary:</u> The Advisory Committee on Criminal Jury Instructions recommends approving for publication the new and revised criminal jury instructions prepared by the committee under rule 2.1050 of the California Rules of Court. These changes will, among other things, keep the instructions current with statutory and case authority. Once approved, the new and revised instructions will be published in the 2025 supplement of *Judicial* Council of California Criminal Jury Instructions.

Recommendation: The Advisory Committee on Criminal Jury Instructions recommends that the Judicial Council, effective October 24, 2025, approve the following changes to the criminal jury instructions prepared by the committee:

- 1. Additions of CALCRIM Nos. 1705, 1760, 1761, 1810, 1851, 2307, 2593, 3218, 3219, and 3220; and
- 2. Revisions to CALCRIM Nos. 202, 505, 508, 511, 520, 524, 525, 526, 571, 580, 581, 582, 590, 592, 593, 600, 603, 604, 810, 820, 830, 860, 862, 863, 875, 970, 982, 983, 1120, 1141, 1142, 1144, 1145, 1180, 1215, 1240, 1242, 1244, 1300, 1301, 1402, 1501, 1530, 1551, 1703, 1800, 1801, 2100, 2101, 2102, 2501, 2503, 2514, 2578, 2670, 2720, 2721, 2745, 2746, 2747, 2964, 3130, 3145, 3149, 3150, 3160, 3161, 3162, 3163, 3177, 3470, 3477, and

3516.

25-167 Report to the Legislature | California Community Corrections Performance Incentives Act of 2009 (Action Required)

<u>Summary:</u> Penal Code section 1232 requires the Judicial Council to submit an annual comprehensive 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. The report includes information on the effectiveness of the act in alleviating state prison overcrowding as well as recommendations regarding allocations of state resources and oversight of the program by Judicial Council staff.

Recommendation: Judicial Council staff recommends that the Judicial Council, effective October 24, 2025, approve the Report on the California Community Corrections Performance Incentives Act of 2009: Findings from the SB 678 Program (2025) and direct it be submitted to the California Legislature and the Governor.

25-153 Rules and Forms | Access and Fairness: Accommodations for **Court Users to Pump or Express Breast Milk (Action Required)**

Summary: Senate Bill 949 (Stats. 2024, ch. 159) requires superior courts to grant court users who are participating in court proceedings a reasonable amount of break time to express milk for their infant children. The legislation also mandates that the Judicial Council create a confidential process for superior court users to request break time for that purpose. To implement the new law, the Advisory Committee on Providing Access and Fairness recommends a new rule of court and a new optional form.

Recommendation: The Advisory Committee on Providing Access and Fairness recommends that, effective January 1, 2026, the council adopt rule 2.40 and approve Request for Accommodation to Pump or Express Breast Milk (form MC-420).

25-131 Rules and Forms | Appellate Procedure: Extension of Time in Misdemeanor and Infraction Appeals (Action Required)

<u>Summary:</u> The Appellate Advisory Committee recommends approving a new form for requesting extensions of time to file a brief in misdemeanor and infraction appeals. This recommendation originated with suggestions from the former Chief Justice's Appellate Caseflow Workgroup and a committee member.

Recommendation: The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2026, approve Application for Extension of Time to File Brief--Misdemeanor or Infraction Case (form CR-127), a new form for requesting extensions of time to file a brief in misdemeanor and infraction appeals.

25-132 Rules and Forms | Appellate Procedure: Remote Appearances at **Oral Argument in the Appellate Division (Action Required)**

<u>Summary:</u> The Appellate Advisory Committee recommends updating the California Rules of Court regarding oral argument in superior court appellate divisions to reflect modern videoconferencing technology and allow broader authorization for remote participation by both parties and appellate division judges. The recommended amendments will enhance access to the courts for self-represented litigants who lack resources or the ability to travel to court in person, along with saving travel costs for courts and simplifying scheduling, ultimately reducing delays for parties.

Recommendation: The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2026, amend rules 8.885 and 8.929 of the California Rules of Court regarding oral argument in the appellate division to authorize remote appearances by parties and more broadly authorize remote participation by appellate division judges.

25-149 Rules and Forms | Civil Practice and Procedure: Amendment of the Collections Case Rule (Action Required)

<u>Summary:</u> California Rules of Court, rule 3.740 governs collections cases. The Civil and Small Claims Advisory Committee recommends amending the monetary limit in rule 3.740 to \$35,000. With this increase, the monetary limit in rule 3.740 will match the current jurisdictional limit for limited civil cases, which was raised in 2024 by Senate Bill 71 (Stats. 2023, ch. 861).

Recommendation: The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, amend California Rules of Court, rule 3.740 to increase the monetary limit for collections cases to \$35,000.

25-151 Rules and Forms | Civil Practice and Procedure: Authorization to Appear on Behalf of a Party in Small Claims Cases (Action Required)

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.

25-150 Rules and Forms | Civil Practice and Procedure: Confidential Information Form for Doxing Cases (Action Required)

Summary: Assembly Bill 1979 (Stats. 2024, ch. 557) creates a private cause of action against a person who publishes private information about an individual on the internet (referred to as "doxing"). The bill creates a statutory procedure to allow plaintiffs in these cases to use a pseudonym and requires the Judicial Council to adopt or revise forms as necessary to implement that procedure. The Civil and Small Claims Advisory Committee recommends revising one form to fulfill this statutory mandate.

Recommendation: The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, revise Confidential Information Form Under Civil Code Section 1708.85 (form MC-125) to implement the statutory procedure for using a pseudonym when bringing a case under Civil Code section 1708.89.

25-014 Rules and Forms | Civil Practice and Procedure: Deadlines for Filings for Class Certification Motions (Action Required)

Summary: The Civil and Small Claims Advisory Committee recommends amending California Rules of Court, rule 3.764 to lengthen the deadlines for filings related to class certification motions to ensure courts have sufficient time to review the papers in advance of the hearing. The proposed deadlines offered in this report would address that concern and coordinate the deadlines for opposition and reply filings for these motions with the corresponding deadlines applicable to filings for motions for summary judgment.

Recommendation: The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, amend California Rules of Court, rule 3.764 to adjust the deadlines for filings related to class certification motions. As amended, the motion, opposition, and reply would be due 34 days, 20 days, and 11 days before the hearing, respectively.

25-147 Rules and Forms | Civil Practice and Procedure: Implementation of Assembly Bill 2837 (Action Required)

Summary: Assembly Bill 2837 (Stats. 2024, ch. 514) made numerous changes to the laws regarding enforcement of judgment, including a new requirement to verify the judgment debtor's address before the sheriff can serve papers related to enforcement of a judgment for personal debt, changes to the start of the earnings withholding period, and new requirements for orders on claims of exemption from enforcement of judgment. The Civil and Small Claims Advisory Committee recommends adopting 3 forms and revising 13 forms to implement AB 2837.

Recommendation: The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, take the following actions to implement changes made by AB 2837 to the laws regarding enforcement of judgment:

- 1. Adopt the following forms:
 - Declaration of Address Verification (form WG-015/EJ-135)
 - Application to Stay Levy or Garnishment (form WG-017/EJ-137)
 - Order on Application to Stay Levy or Garnishment (form WG-018/EJ-138)
- 2. Revise the following forms:
 - Writ of Execution (form EJ-130)
 - Instructions for Ex Parte Application for Order on Deposit Account

- Exemption (form EJ-157-INFO)
- Claim of Exemption (form EJ-160)
- Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest (form MC-012)
- Information Sheet for Calculating Interest and Amount Owed on a *Judgment* (form MC-013-INFO)
- Special Instructions for Writs and Levies--Attachment (form SER-001A)
- Earnings Withholding Order (form WG-002)
- Employee Instructions (form WG-003)
- Earnings Withholding Order for Support (form WG-004)
- Claim of Exemption (form WG-006)
- *Notice of Hearing on Claim of Exemption* (form WG-010/EJ-175)
- Earnings Withholding Order for Taxes (form WG-022)
- Earnings Withholding Order for Elder or Dependent Adult Financial Abuse (form WG-030)

25-146 Rules and Forms | Civil Practice and Procedure: Rules Regarding **Telephonic Appearances (Action Required)**

<u>Summary:</u> Code of Civil Procedure section 367.75 authorizes courts to conduct proceedings using remote technology in all civil matters. Assembly Bill 170 (Stats. 2024, ch. 51) extends the sunset date of that statute from January 1, 2026, to January 1, 2027. Judicial Council staff recommend that the council amend several rules of court regarding telephonic appearances to reflect the extended sunset date of January 1, 2027, as provided in section 367.75.

Recommendation: Judicial Council staff recommend that the Judicial Council, effective January 1, 2026, amend California Rules of Court, rules 3.670, 5.9, 5.324, 5.531, and 5.900 to reflect the new sunset date in Code of Civil Procedure section 367.75.

25-135 Rules and Forms | Comprehensive Adjudications of Groundwater **Rights (Action Required)**

Summary: The Civil and Small Claims Advisory Committee recommends amending the rule of court that designates certain case types as provisionally complex to include comprehensive groundwater adjudications. This change conforms the rule to Code of Civil Procedure section 838. The committee also recommends adopting a rule specifying the procedure by which the presiding judge of the court in a county overlying the groundwater basin at issue requests that the Chair of the Judicial Council assign a judge to adjudicate the dispute.

Recommendation: The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, adopt California Rules of Court, rule 3.404 and amend rule 3.400, related to comprehensive groundwater adjudications.

25-144 Rules and Forms | Criminal Law: Findings and Orders for Pretrial Release or Detention (Action Required)

Summary: In In re Humphrey (2021) 11 Cal.5th 135, the Supreme Court held that conditioning pretrial release from custody solely on whether an arrestee can afford bail is unconstitutional and articulated a framework for bail determinations based on public and victim safety. To assist courts with making the appropriate findings and orders for pretrial release or detention as articulated in *In re Humphrey* and in line with statutory and constitutional requirements, the Criminal Law Advisory Committee recommends a new form for optional use.

Recommendation: The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026, approve Findings and Orders for Pretrial Release or Detention (form CR-104).

25-142 Rules and Forms | Criminal Law: Findings and Orders Regarding **Prohibited Items While on Diversion** (Action Required)

Summary: Recent legislation prohibits the possession of firearms, other deadly weapons, and ammunition by a defendant participating in mental health or military diversion, based on specified findings by the court. The prohibition remains in effect until the defendant has either successfully completed diversion or has their firearms rights restored. The Criminal Law Advisory Committee recommends a new optional form to assist courts with making the appropriate findings and orders prohibiting a defendant from owning or possessing firearms, other deadly weapons, and ammunition while on mental health or military diversion.

Recommendation:

The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026, approve Findings and Orders Regarding Prohibited Items While on Diversion (form CR-163).

25-143 Rules and Forms | Criminal Law: Implementation of Recent **Legislation Regarding Criminal Protective Orders** (Action Required)

Summary: Recent legislation addressed firearm and ammunition relinquishment for defendants subject to a criminal protective order and lengthened the time frame for certain postconviction criminal protective orders. To implement this legislation, the Criminal Law Advisory Committee recommends repealing a rule of court, adopting two new forms, approving four new forms including an information sheet, and revising three criminal protective order forms. The committee also recommends adopting a new confidential California Law Enforcement Telecommunications System form for use with criminal protective orders, and amending California Rules of Court, rule 1.51 to require prosecuting agencies to use the form.

Recommendation:

The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Amend California Rules of Court, rule 1.51:
- 2. Repeal California Rules of Court, rule 4.700;
- 3. Adopt Confidential Information for Law Enforcement--Criminal (form CLETS-002) and Permission to Have Firearm or Ammunition for Work (form CR-850);
- 4. Approve Receipt for Firearms, Firearm Parts, and Ammunition (form CR-800) and a corresponding information sheet (form CR-800-INFO), Noncompliance With Firearms and Ammunition Order (form CR-830), and Prohibited Items Finding and Orders (form CR-840); and
- 5. Revise Criminal Protective Order--Domestic Violence (form CR-160), Criminal Protective Order--Other Than Domestic Violence (form CR-161), and Order to Surrender Firearms in Domestic Violence Case (form CR-162).

25-141 Rules and Forms | Criminal Law: Mental Competency Proceedings (Action Required)

Summary: Statutes on competency to stand trial in felony and misdemeanor cases were recently amended to provide courts with additional treatment-based solutions for defendants found incompetent to stand trial and to streamline mental competency proceedings. The Criminal Law Advisory Committee recommends adopting, amending, and renumbering rules of court to implement these legislative changes, as well as additional amendments to clarify procedures, remove language duplicative of statute, and improve organization, clarity, and concision.

Recommendation: The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Adopt California Rules of Court, rule 4.132, which consists of current rule 4.130(h) with minor amendments to reflect changes to Penal Code section 1370 by Senate Bill 1323 (Stats. 2024, ch. 646);
- 2. Adopt California Rules of Court, rule 4.133, renumbered from current rule 4.131;
- 3. Amend California Rules of Court, rule 4.130 to implement statutory changes, reorganize and streamline the rule, and remove provisions that are duplicative of statute; and
- 4. Amend California Rules of Court, rule 4.131 to replace its contents with subdivisions (a)(2), (a)(3), and (d) of current rule 4.130 and to implement statutory changes.

25-157 Rules and Forms | Family Law and Protective Orders: Implementation of Senate Bill 599 and Assembly Bill 3072 (Action Required)

<u>Summary:</u> To implement Senate Bill 599 (Caballero; Stats. 2023, ch. 493) and Assembly Bill 3072 (Petrie-Norris; Stats. 2024, ch. 317), the Family and Juvenile Law Advisory Committee recommends adopting a new rule of court; amending a standard of judicial administration; and approving and revising domestic violence restraining order and family law forms. The committee also recommends minor technical changes to two

domestic violence information forms.

Recommendation: To implement the requirements of SB 599 and AB 3072, the Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Adopt rule 5.252 of the California Rules of Court;
- 2. Amend standard 5.20 of the California Standards of Judicial Administration;
- 3. Approve two forms in the DV series:
 - Asking for Child Custody and Visitation Orders (form DV-105-INFO); and
 - Mandatory Findings for Child Custody and Visitation Order (form DV-150):
- 4. Revise five forms in the DV series:
 - Request for Child Custody and Visitation Orders (form DV-105);
 - How Can I Respond to a Request for Domestic Violence Restraining Order? (form DV-120-INFO);
 - Child Custody and Visitation Order (form DV-140);
 - How Do I Ask to Change or End a Domestic Violence Restraining Order? (form DV-300-INFO); and
 - How Do I Ask the Court to Renew My Restraining Order? (form DV-700-INFO);
- 5. Approve two forms in the FL series:
 - What Are Visitation or Parenting Time Orders? (form FL-311-INFO); and
 - Mandatory Findings for Child Custody and Visitation (Parenting Time) Orders (form FL-351);
- 6. Revise eight forms in the FL series:
 - *Information Sheet for Request for Order* (form FL-300-INFO);
 - Temporary Emergency (Ex Parte) Orders (form FL-305);
 - Child Custody and Visitation (Parenting Time) Application Attachment (form FL-311);
 - Declaration of Supervised Visitation and Exchange Services Provider (Nonprofessional) (form FL-324(NP));
 - Declaration of Supervised Visitation and Exchange Services Provider (Professional) (form FL-324(P));
 - Child Custody and Visitation (Parenting Time) Order Attachment (form FL-341);
 - Supervised Visitation (Parenting Time) and Exchanges Order (form FL-341(A)); and
 - Stipulation and Order for Custody and/or Visitation (Parenting Time) (form FL-355).

25-155 Rules and Forms | Family Law: Joint Petition for Dissolution or Legal Separation (Action Required)

Summary: To implement Senate Bill 1427 (Stats. 2024, ch. 190), the Family and Juvenile Law Advisory Committee recommends that the Judicial Council amend four rules of court, adopt three mandatory forms, and approve one optional form. Effective January 1, 2026, SB 1427 authorizes parties who do not qualify to use the current summary dissolution process to file a joint summons and a joint petition to ask the court for a dissolution of marriage or domestic partnership or for a legal separation. The legislation requires the Judicial Council to adopt or amend any rules or forms necessary for implementation no later than January 1, 2026.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- Amend California Rules of Court, rules 5.16, 5.50, 5.68, and 5.92:
- 2. Adopt Joint Petition--Marriage or Domestic Partnership (form FL-700);
- 3. Adopt Summons--Joint Petition (form FL-710);
- 4. Adopt Notice of Revocation of Joint Petition (form FL-720); and
- 5. Approve Information Sheet for Joint Petition for Dissolution or Legal Separation (form FL-700-INFO).

25-037 Rules and Forms | Family Law: Rules and Forms to Determine Parental Relationship Based on Gestational Carrier Agreement (Action Required)

Summary: The Family and Juvenile Law Advisory Committee recommends a new form series for parties (intended parents) who conceive a child with a gestational carrier (also known as a surrogate) under the terms of a gestational carrier agreement (also called "an assisted reproduction agreement for gestational carriers") and then seek a judgment in family court determining a parental relationship under Family Code sections 7960-7962. The committee also recommends that the council adopt a new rule of court, amend several rules, repeal one rule, and revise three family law forms to add content for gestational surrogacy cases. The proposal originates from judicial officers and attorneys who shared their ideas for uniform rules and forms, specific to gestational surrogacy cases, that would benefit family court judges, court clerks, the parties, and their attorneys.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2026:

- 1. Adopt California Rules of Court, rule 5.78, Actions or proceedings to determine a parental (or nonparental) relationship involving an assisted reproduction agreement;
- 2. Amend rules 5.2, 5.7, 5.16, 5.50, 5.52, and 5.96 to include new terms, references to forms in a new gestational surrogacy (SUR) series, and procedures specific to parentage cases based on a gestational carrier agreement;
- Repeal rule 5.51, Confidential cover sheet for parentage actions or proceedings

involving assisted reproduction; other requirements, the substance of which is being moved into rule 5.78;

- 4. Adopt six mandatory forms:
 - Petition to Determine Parental Relationship (form SUR-100), for alternative mandatory use;
 - Joint Petition to Determine Parental Relationship (form SUR-100(J)), for alternative mandatory use;
 - Summons--Gestational Carrier Agreement (form SUR-110);
 - Response to Petition to Determine Parental Relationship (form SUR-120);
 - Request to Enter Default (form SUR-165); and
 - Declaration for Default or Uncontested Judgment (form SUR-230);
- 5. Approve five optional forms:
 - How to Ask for a Judgment--Gestational Carrier Agreement (form SUR-050-INFO);
 - *Notice of Lodging* (form SUR-113);
 - *Proof of Service of Summons* (form SUR-115);
 - Notice and Acknowledgment of Receipt (form SUR-117); and
 - Declaration and Conditional Waiver of Rights Under the Servicemembers Civil Relief Act (form SUR-230(A)); and
- 6. Revise three forms to include parentage cases involving a gestational carrier agreement:
 - *Notice of Entry of Judgment* (form FL-190);
 - Confidential Cover Sheet--Parentage Action Involving Assisted Reproduction (form FL-211); and
 - Judgment (form FL-250).

25-160 Rules and Forms | Family Law: Standards for Computer Software **Used to Assist in Determining Support (Action Required)**

Summary: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council amend a rule of court that provides standards for computer software that assists in determining child and spousal support. This action is necessary to conform the rule to current law. The recommended changes also update terminology and requirements related to technology and clarify language related to the Judicial Council's guideline calculator testing and certification process.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council amend rule 5.275 of the California Rules of Court, effective January 1, 2026, to:

- Bring the standards into conformity with existing law regarding the treatment of subsequent partner income when calculating child support and recent changes to Family Code section 4061 related to the apportionment of expenses for additional child support between parents;
- Update terminology and requirements related to computer hardware, operating

- systems, and software necessary to test support calculators; and
- Clarify language related to the use of scenarios created to test the accuracy of support calculator software to resolve confusion expressed by developers concerning the certification process, and make minor technical and grammatical changes.

25-134 Rules and Forms | Judicial Branch Education: Sunset of Pandemic-Related Deadline Extensions (Action Required)

Summary: Pandemic-related deadline extensions, contained within rule 10.492 of the California Rules of Court, provided judicial officers and judicial branch personnel additional time to complete continuing education requirements. By its sunset provision, the rule ceased to have effect on December 31, 2024. The Center for Judicial Education and Resources Advisory Committee now recommends the Judicial Council make a technical amendment to repeal rule 10.492 in its entirety to eliminate any actual or potential confusion that the extensions may remain in effect.

Recommendation: The Center for Judicial Education and Resources Advisory Committee recommends that the Judicial Council, effective January 1, 2026, repeal rule 10.492 of the California Rules of Court to eliminate any actual or potential confusion that the pandemic-related deadline extensions for continuing education remain in place.

25-145 Rules and Forms | Juvenile Law: Date a Child Entered Foster Care (Action Required)

Summary: Assembly Bill 2664 (Bryan; Stats. 2024, ch. 412) amended Welfare and Institutions Code section 361.49 to clarify the date a child is deemed to have entered foster care to establish timelines for the provision of reunification services. The Family and Juvenile Law Advisory Committee recommends amending two definitions in rule 5.502 of the California Rules of Court to conform to the law and to correct a statutory reference.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026, amend California Rules of Court, rule 5.502 to address the situation of a child who is not removed or is returned at disposition on a Welfare and Institutions Code section 300 petition but is later removed under a section 342 or 387 petition.

25-172 Rules and Forms | Juvenile Law: Indian Child Welfare Act (ICWA) Inquiry and Family Finding (Action Required)

<u>Summary:</u> To implement new legislation and recent case law regarding the Indian Child Welfare Act (ICWA) and foster-care placement in juvenile cases, the Family and Juvenile Law Advisory Committee and the Tribal Court-State Court Forum recommend amending four rules of court and revising 22 forms. This proposal responds to Assembly Bill 81 (Ramos; Stats. 2024, ch. 656), which addressed the implementation of the Indian Child Welfare Act (25 U.S.C. §§ 1901 et seq.), including ICWA inquiry, and Assembly Bill 2929 (Carrillo; Stats. 2024, ch. 845), which addressed

family finding in juvenile dependency cases. The proposal also responds to two recent decisions from the Supreme Court of California concerning ICWA inquiry: In re Kenneth D. (2024) 16 Cal.5th 1087 and In re Dezi C. (2024) 16 Cal.5th 1112. The proposal also corrects several technical issues in the rules and forms.

Recommendation: The Tribal Court-State Court Forum and the Family and Juvenile Law Advisory Committee recommend that the Judicial Council, effective January 1, 2026:

- 1. Amend California Rules of Court, rule 5.481(a)(2) regarding who must be asked if they have information that the child is or may be an Indian child to better align with the language in recent revisions to section 224.2(c) of the Welfare and Institutions Code (all further code references are to the California Welfare and Institutions Code unless otherwise stated) and for consistency with the language used in other rules, to add the words "on the record" to the end of that paragraph, and to change the term "participant" in subdivision (a)(2)(A) to "party or other interested person" and the words "or may be" between "knows or has reason to know the child is" and "an Indian child." In addition, the proposal would add to subdivision (a)(4)(B) language clarifying that contacting the Bureau of Indian Affairs (BIA) and California Department of Social Services (CDSS) for assistance should occur only if the contacting entities--after interviewing the parents, Indian custodian, and extended family members--still require assistance in identifying or contacting tribes. This language is proposed in response to comments from the BIA and the CDSS that they routinely have agencies contact them without having first interviewed available family members. Without the family background information, the BIA and the CDSS will not conduct these interviews and cannot assist with locating and contacting tribes (the assistance they are mandated to provide). Finally, there is a technical amendment to (a)(4)(C) to correct a code reference.
- 2. Amend rule 5.668(c) to make the language regarding Indian Child Welfare Act (ICWA) inquiry consistent with the new language in section 224.2 regarding asking each party or other interested person present who has not previously been asked and making this inquiry on the record.
- 3. Amend rule 5.708(b)(1) to require that the report discuss all efforts the agency has made to comply with its ICWA inquiry duty by adding new subsection (E) and new paragraph (b)(4) to state that the court must make a finding as to whether the agency has fulfilled its duty of ICWA inquiry.
- 4. Amend rule 5.725 to require in subdivision (c), governing reporting requirements, evidence of the affirmative and continuing duty to inquire whether the child is or may be an Indian child and to add a paragraph under subdivision (d), conduct of hearing, to require the court to make a finding as to whether the agency has fulfilled its duty of ICWA inquiry under the holdings of the California Supreme Court in Kenneth D. and Dezi C. These cases clarify that there must be robust evidence of ICWA inquiry throughout the life of the case and findings by the court on ICWA inquiry and ICWA status that are grounded in the record. Also, a technical change updates a rule reference in subdivision (g).

- 5. Revise Information Sheet on Indian Child Inquiry Attachment and Notice of Child Custody Proceeding for Indian Child (form ICWA-005-INFO) to clarify and explain the ongoing duty of inquiry of extended family members and make the technical correction of including notice to the Secretary of the Interior when the identity and location of the child's parents or tribe are known.
- 6. Revise *Indian Child Inquiry Attachment* (form ICWA-010(A)) to clarify what must be asked of the individuals questioned and clarify steps of the inquiry process.
- 7. Revise *Parental Notification of Indian Status* (form ICWA-020) to clarify that the inquiry is related to relatives and lineal ancestors of the child rather than the parent, Indian custodian, or guardian; add the terms "citizen" and "citizenship" when the terms "member" and "membership" are used; and ask whether the parent or child has lived on tribal trust lands in the past as well as whether they currently live on such lands.
- 8. Revise *Additional Children Attachment* (form JV-101(A)) by reformatting it to ensure that ICWA inquiry is documented for each individual child and removing the reference to gender in item 4e, which is not required by statute.
- 9. Revise Orders Under Welfare and Institutions Code Sections 366.24, 366.26, 727.3, 727.31 (form JV-320), which is used to document the findings and orders at a permanency hearing, to add a required finding as to the sufficiency of ICWA inquiry and to fix a typographical error at item 19(b)(3) by changing the first word from "an" to "a."
- 10. Revise Continuance--Dependency Detention Hearing (form JV-405) to correct the name of the hearing in item 2 from "dispositional" to "detention," change existing item 12b to 12a(2), renumber the subitems in 12, modify renumbered item 12b to include language that the court has reviewed evidence of ICWA inquiry submitted for the hearing, remove the finding in original item 12c(2) (a) that ICWA does not apply, add language in item 12b(4) that ICWA applies when the court makes a finding that the child is an Indian child, and revise the wording and format for the countersignature line for a judge that may be required under section 249 to be consistent with other forms that include this countersignature.
- 11. Revise *Findings and Orders After Detention Hearing* (form JV-410) to add a new item 9 ordering the county agency to make diligent efforts to locate and evaluate appropriate kin, add an instruction to the ICWA status language in renumbered item 11 to clarify that the court must choose one of the alternative findings, add a new sentence to renumbered item 11a ordering the county agency to continue to inquire about the child's Indian status, and delete the language in renumbered item 11b(1) that ICWA does not apply.
- 12. Revise *Findings and Orders After Jurisdictional Hearing* (form JV-412) to update the language in item 5 regarding ICWA inquiry and status.
- 13. Revise *Findings and Orders After Dispositional Hearing* (form JV-415) to move current item 5, which addresses ICWA status, into item 7, ICWA Inquiry;

- renumber the remaining items; and delete the language in original item 7d(1) finding that ICWA does not apply unless new information is received and add language requiring the agency to continue its ICWA inquiry efforts.
- 14. Revise *Dispositional Attachment: Removal From Custodial Parent- -Placement With Nonparent* (form JV-421) to update the language and clarify the findings regarding ICWA inquiry and status by adding item 4, include the family finding requirements in renumbered item 8, and revise language in item 34 to provide a link to rule 5.650 rather than direct litigants to the court clerk.
- 15. Revise *Findings and Orders After Six-Month Status Review Hearing* (form JV-430) to include language about continuing ICWA inquiry and revise language in item 15 to provide a link to rule 5.650 rather than direct litigants to the court clerk.
- 16. Revise *Six-Month Permanency Attachment: Reunification Services Continued* (form JV-432) to add language concerning family finding and engagement as item 14.
- 17. Revise Six-Month Permanency Attachment: Reunification Services

 Terminated (form JV-433) to add as new item 15 language regarding family
 finding and engagement and to require in renumbered item 18(c) that the report
 that the agency is required to prepare for the permanency hearing include
 evidence of ICWA inquiry throughout the life of the case.
- 18. Revise *Findings and Orders After 12-Month Permanency Hearing* (form JV-435) to include language about continuing ICWA inquiry, and revise language in item 15 to provide a link to rule 5.650 rather than direct litigants to the court clerk.
- 19. Revise *Twelve-Month Permanency Attachment: Reunification Services Continued* (form JV-437) to add language concerning family finding and engagement.
- 20. Revise *Twelve-Month Permanency Attachment: Reunification Services Terminated* (form JV-438) to add language regarding family finding and engagement at item 13 and to require that the agency's permanency hearing report include evidence of ICWA inquiry throughout the life of the case at item 18.
- 21. Revise *Findings and Orders After 18-Month Permanency Hearing* (form JV-440) to delete existing item 4 concerning ICWA status and replace it with new item 6 to include language about continuing ICWA inquiry and ICWA status findings, and revise language in item 15 to provide a link to rule 5.650 rather than direct litigants to the court clerk.
- 22. Revise *Eighteen-Month Permanency Attachment: Reunification Services Terminated* (form JV-442) to add language regarding family finding and engagement and to require that the agency's permanency hearing report include evidence of ICWA inquiry throughout the life of the case.
- 23. Revise *Eighteen-Month Permanency Attachment: Reunification Services Continued* (form JV-443) to add language concerning family finding and

- engagement.
- 24. Revise Findings and Orders After Postpermanency Hearing--Permanent Plan Other Than Adoption (form JV-446) to add language regarding notice to the Bureau of Indian Affairs when such is required and about family finding and engagement.
- 25. Revise Findings and Orders After 24-Month Permanency Hearing (form JV-455) to delete existing item 4 concerning ICWA status and replace it with new item 6 to include language about continuing ICWA inquiry and ICWA status findings, and revise language in item 15 to provide a link to rule 5.650 rather than direct litigants to the court clerk.
- 26. Revise Twenty-Four-Month Permanency Attachment: Reunification Services Terminated (form JV-457) to require the county agency to include evidence of ICWA inquiry in its report for the permanency hearing and to add language about family finding and engagement.

25-168 Rules and Forms | Juvenile Law: Racial Justice Act Forms (Action Required)

<u>Summary:</u> Juvenile courts expect more claims under the Racial Justice Act to be filed since Assembly Bill 256 (Kalra; Stats. 2022, ch. 739) expanded the retroactive application of the act, enabling more individuals to file claims for relief. The Family and Juvenile Law Advisory Committee proposes five new forms for optional use to assist litigants and juvenile courts with claims under the act.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council approve five new forms, effective January 1, 2026, for claims in juvenile court under the act:

- Request for Relief Under the Racial Justice Act--Juvenile Adjudication (form JV-720)
- *The Racial Justice Act in Juvenile Court* (form JV-720-INFO)
- Preliminary Orders After Request for Relief Under the Racial Justice Act--Juvenile Adjudication (form JV-721)
- Findings and Orders After Initial Hearing on Request for Relief Under the Racial Justice Act--Juvenile Adjudication (form JV-722)
- Findings and Orders After Evidentiary Hearing on Request for Relief Under the Racial Justice Act--Juvenile Adjudication (form JV-723)

25-038 Rules and Forms | Juvenile Law: Retention of Jurisdiction and **Petitions Requesting Juvenile Case Files of Deceased Children** (Action Required)

Summary: To implement Assembly Bill 1756 (Stats. 2023, ch. 478, § 62) and Senate Bill 1161 (Stats. 2024, ch. 782, § 12), the Family and Juvenile Law Advisory Committee recommends (1) amending one rule of the California Rules of Court to comply with AB 1756's amendment to Welfare and Institutions Code section 10850.4 to extend the juvenile court's jurisdiction in cases involving the death of a child or nonminor

dependent; (2) amending one rule of court to implement SB 1161's amendment to the definition of a "juvenile case file" in Welfare and Institutions Code section 827(e); and (3) adopting one rule of court, amending two rules of court, adopting six mandatory forms, approving one optional form, and revising six forms to clarify the different legal standards for requesting any juvenile delinquency case file or a living child's juvenile dependency case file versus a deceased child's juvenile dependency case file under Welfare and Institutions Code section 827.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Adopt rule 5.551 of the California Rules of Court to implement SB 1161 by clarifying that the definition of a juvenile case file has the same meaning as defined in Welfare and Institutions Code section 827(e) and recognize the coextensive application of other confidentiality laws on the confidentiality of juvenile records codified in Welfare and Institutions Code section 827(a)(3);
- 2. Amend rule 5.510 of the California Rules of Court to implement AB 1756 by granting the juvenile court discretion to retain its jurisdiction in cases in which a child or nonminor dependent dies while under the juvenile court's jurisdiction;
- 3. Amend rule 5.552 of the California Rules of Court to clarify that it applies only to requests for a juvenile delinquency case file or a living child's juvenile dependency
- 4. Amend rule 5.553 of the California Rules of Court to clarify that it applies only to requests for a deceased child's juvenile dependency case file and to mirror the format in rule 5.552 for consistency;
- 5. Adopt six new mandatory forms:
 - Proof of Service--Petition for Public Disclosure of a Deceased Child's Juvenile Dependency Case File (form JV-583);
 - Petition for Public Disclosure of a Deceased Child's Juvenile Dependency Case File (form JV-584);
 - Notice of Petition for Public Disclosure of a Deceased Child's Juvenile Dependency Case File (form JV-585);
 - Objection to Public Disclosure of a Deceased Child's Juvenile Dependency Case File (form JV-586);
 - Order on Petition for Public Disclosure of a Deceased Child's Juvenile Dependency Case File (form JV-587);
 - Order After Judicial Review on Petition for Public Disclosure of a Deceased Child's Juvenile Dependency Case File (form JV-588);
- 6. Approve one new optional form, Order Granting Welfare and Institutions Code Section 827 Petition Attachment: Required Redactions (form JV-576);
- 7. Revise Proof of Service--Petition for Access to Juvenile Case File (form JV-569) to update its title to Proof of Service--Petition for Access to Juvenile Delinquency Case File or a Living Child's Juvenile Dependency Case File, update all references to other retitled forms to reflect the proposed

- revisions to the form titles, and remove all references to requests for a juvenile dependency case file of a deceased child (for all forms in the series JV-569 through JV-574), add fields for petitioners to provide their contact information or the name and contact information of their lawyer in item 1, add the age qualification to items 2c and 4c, and add individuals protected by Welfare and Institutions Code section 827(a)(3) to items 2 and 4;
- 8. Revise Petition for Access to Juvenile Case File (form JV-570) to update its title to Petition for Access to Juvenile Delinquency Case File or a Living Child's Juvenile Dependency Case File, add fields for petitioners to provide their contact information or the name and contact information of their lawyer in item 1, revise item 4 to remove subitem b and letter the boxes, add an option to attach additional information to items 5 and 7, and revise item 7 to include a juvenile delinquency case file or a living child's juvenile dependency case file;
- 9. Revise Notice of Petition for Access to Juvenile Case File (form JV-571) to update its title to Notice of Petition for Access to Juvenile Delinquency Case File or a Living Child's Juvenile Dependency Case File, revise the introductory paragraph to instruct petitioners on how to fill out the proof of service (form JV-569), and move the warning box above the signature line;
- 10. Revise Objection to Release of Juvenile Case File (form JV-572) to update its title to Objection to Release of Juvenile Delinquency Case File or a Living Child's Juvenile Dependency Case File, add fields for petitioners to provide their contact information or the name and contact information of their lawyer in item 1, renumber the subsequent items accordingly, and add an option to attach additional information to item 5;
- 11. Revise Order on Petition for Access to Juvenile Case File (form JV-573) to update its title to Order on Petition for Access to Juvenile Delinquency Case File or a Living Child's Juvenile Dependency Case File and revise item 2 to include a juvenile delinquency case file or a living child's juvenile dependency case file: and
- 12. Revise Order After Judicial Review on Petition for Access to Juvenile Case File (form JV-574) to update its title to Order After Judicial Review on Petition for Access to Juvenile Delinquency Case File or a Living Child's Juvenile Dependency Case File, revise items 2 and 3 to state, "After review of the juvenile delinquency case file or a living child's juvenile dependency case file. ..," add a checkbox in item 3c for redaction of information that relates to another child or could identify another child who is not the subject of the petition, and remove items 4 and 5 pertaining to a deceased child and renumber items 6-9 as items 4-7;

25-129 Rules and Forms | Juvenile Law: Sex Offender Registration (Action Required)

<u>Summary:</u> Because Information on Filing a Petition to Terminate Juvenile Sex Offender Registration (form JV-915-INFO) contains two legally inaccurate statements, the Family and Juvenile Law Advisory Committee recommends revising the form so that it accurately reflects controlling statutory provisions.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026, revise Information on Filing a Petition to Terminate Juvenile Sex Offender Registration (form JV-915-INFO), to remove two legally inaccurate statements and to make several minor technical changes.

25-156 Rules and Forms | Miscellaneous Technical Changes (Action Required)

<u>Summary:</u> Various members of the judicial branch, members of the public, and Judicial Council staff have identified errors in the California Rules of Court and Judicial Council forms resulting from input errors, as well as minor changes needed to conform to changes in law or previous council actions. Judicial Council staff recommend making the necessary corrections to ensure that the rules and forms conform to law and to avoid causing confusion for court users, clerks, and judicial officers.

Recommendation: Judicial Council staff recommend that the council, effective January 1, 2026:

- 1. Amend rule 1.31(c) to add "Alternative Mandatory Form" as a shortened identifier for "Form Adopted for Alternative Mandatory Use";
- 2. Amend rule 4.200 to correct the form number of Juror Questionnaire for Criminal Cases;
- 3. Amend rule 4.201 to italicize Juror Questionnaire for Criminal Cases and correct its form number;
- 4. Revise Affidavit re Real Property of Small Value (form DE-305) to conform the language in the certificate of acknowledgment on page 2 precisely to the language required by section 1189 of the Civil Code and to modify the form's footer to conform to updated style guidelines;
- 5. Revise How to Ask for a New Hearing Date (form DV-115-INFO) at item 3, to correctly reference item 7 on form DV-116;
- 6. Revise Information on Debtor's Examinations Regarding Consumer Debt (form EJ-140-INFO/SC-136-INFO) to correct the identification of the party in item 3 giving their financial information in writing ("judgment debtor") and to make other minor modifications;
- 7. Revise Information Sheet: Notice and Motion to Cancel (Set Aside) Support Order Based on Presumed Income or Earning Capacity (form FL-640-INFO), to correct the footer to indicate the information sheet is revised effective January 1, 2026, and to make other minor modifications;
- 8. Revise Notice of Motion (form FL-680) and Order to Show Cause (form FL-683) to correct references to the title of Disability Accommodation Request, update links, and to make other minor modifications;
- 9. Revise Ex Parte Application for Order Authorizing Completion of Capacity Declaration--HIPAA (form GC-333) and Ex Parte Order re Completion of Capacity Declaration--HIPAA (form GC-334) to correct the titles of recently retitled forms and to make other minor modifications to conform to updated style guidelines;

- 10. Revise How Can I Respond to a Petition for Retail Crime Restraining Order? (form RT-120-INFO) to correct the statute cited in the footer and to correct a typographical error;
- 11. Revise Application and Order to Produce Financial Statement or Appear for Examination--Consumer Debt (form SC-136) to correct a typographical error on the notice on the last page and the statute cited in the footer, as well as other minor modifications:
- 12. Revise What to Do After the Court Decides Your Small Claims Case (form SC-200-INFO) to correct the title of *Notice of Motion to Vacate* Judgment and Declaration;
- 13. Revise Judgment--Unlawful Detainer Habitable Premises Attachment (form UD-110H) and Judgment--Unlawful Detainer Partial Eviction Attachment (form UD-110P) to renumber the forms' items to start at 1, and to modify the footers to conform with updated style guidelines;
- 14. Revise Stipulation for Entry of Judgment (form UD-115) to correct the title of Judgment--Unlawful Detainer Habitable Premises Attachment; and
- 15. Revise Notice of Hearing on Request to Modify/Terminate Workplace Violence Restraining Order (form WV-610) to correct the title of Disability Accommodation Request.

25-159 Rules and Forms | Miscellaneous Technical Changes to CARE Act Rule and Adoption, CARE Act, and Sheriff Service Forms (Action Required)

<u>Summary:</u> Judicial Council staff have identified errors in one rule of court and nine Judicial Council forms resulting from typographical mistakes, changes resulting from legislation, and previous rule amendments and form revisions. Judicial Council staff recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

Recommendation: Judicial Council staff recommend that the Judicial Council, effective January 1, 2026:

- 1. Amend California Rules of Court, rule 7.2221 to add headings to subdivisions (a)-(c);
- 2. Revise *How to Adopt a Child in California* (form ADOPT-050-INFO) to replace "child, if over 12" with "child, if 12 or older" on pages 2, 3, and 4 and to replace "over the age of 12" with "12 or older" on page 6, to change the wording of one sentence and the formatting of one citation, and to make other minor typographical corrections;
- 3. Revise Declaration Confirming Parentage in Stepparent Adoption (form ADOPT-205) to replace references to form ADOPT-200 with references to form ADOPT-203 because that form is now required to petition for stepparent adoption;
- 4. Revise Declaration Confirming Parentage in Stepparent Adoption: Gestational Surrogacy (form ADOPT-206) to replace references to form ADOPT-200 with references to form ADOPT-203 because that form is now

- required to petition for stepparent adoption;
- 5. Revise Order for CARE Act Report (form CARE-105) to remove specific reference to form CARE-100 in item 1 because that form is no longer the only petition option;
- 6. Revise Notice of Order for CARE Act Report (form CARE-106) to remove specific reference to form CARE-100 in item 4(b) because that form is no longer the only petition option;
- 7. Revise Proof of Personal Service of Notice of Order for CARE Act Report (form CARE-107) to remove specific reference to form CARE-100 in item 3 because that form is no longer the only petition option;
- 8. Revise Notice of Initial Appearance--CARE Act Proceedings (form CARE-110) to remove specific reference to form CARE-100 in item 5(a) because that form is no longer the only petition option;
- 9. Revise Proof of Personal Service of Notice of Initial Appearance--CARE Act Proceedings (form CARE-111) to remove specific reference to form CARE-100 in item 3 because that form is no longer the only petition option; and
- 10. Revise Request for Sheriff to Serve Court Papers (SER-001) to specify that a party asking for service by the sheriff can turn in their papers in person or submit them electronically.

25-133 Rules and Forms | New Case Categories for Civil Case Cover **Sheet (Action Required)**

Summary: The Civil and Small Claims Advisory Committee and Court Executives Advisory Committee jointly recommend adding new case categories and case types to Civil Case Cover Sheet (form CM-010). Specifically, the committees recommend adding a "Comprehensive groundwater adjudication" case type to ensure consistency with both Code of Civil Procedure section 838(b) and the associated pending amendment to rule 3.400(c) of the California Rules of Court. Additionally, adding "Asbestos" and "Employment Development Department (EDD)" case categories will help fulfill forthcoming data reporting requirements in the Judicial Branch Statistical Information System and reduce manual data reporting by courts.

Recommendation: The Civil and Small Claims Advisory Committee and Court Executives Advisory Committee jointly recommend that the Judicial Council, effective January 1, 2026, revise form CM-010 to add "Comprehensive groundwater adjudication" as a case type and add "Asbestos" and "Employment Development Department (EDD)" as case categories.

25-130 Rules and Forms | Probate Conservatorship: Acceptance of **Transfers Under the California Conservatorship Jurisdiction Act** (Action Required)

Summary: Under recent statutory changes enacted by Assembly Bill 2841 (Stats. 2022, ch. 807), the courts are required to provide specific information to the Secretary of State when a person has been disqualified from voting. In addition, a member of the Probate and Mental Health Advisory Committee noted difficulty in obtaining necessary information when reviewing a request to accept transfer of a conservatorship from another jurisdiction. The Probate and Mental Health Advisory Committee recommends amending one rule of court and revising two optional forms to provide the court with information it needs for the transfer of conservatorships into California and the reporting duties imposed by the Elections Code. This will make proceedings more efficient and conform to the statutory changes.

Recommendation: The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Amend California Rules of Court, rule 7.1050 to require the information provided with a petition for appointment of a conservator to be provided with a petition to accept transfer of a conservatorship from another jurisdiction;
- 2. Revise Petition for Orders Accepting Transfer (form GC-366) to add a definition and instructions and to require attachment of the proposed order; and
- 3. Revise Final Order Accepting Transfer (form GC-368) to improve clarity and promote compliance with the content requirements for a court order.

25-154 Rules and Forms | Probate Conservatorship: Information for **Conservatees (Action Required)**

<u>Summary:</u> Probate Code section 1835.5 requires the court, within 30 days of appointing a conservator, to provide the conservatee with specified information, including a personalized list of rights retained by and withheld from the conservatee. Several statutes enacted over the past 10 years have also expanded and clarified the rights of all conservatees. In response to these changes to the law, the Probate and Mental Health Advisory Committee recommends approving one form for optional use by courts to use to provide the information required by section 1835.5, revising the mandatory form used to give notice of the general rights of conservatees to update it, and revising the address attachment to the general notice form to conform to the revisions to the principal form.

Recommendation: The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Approve Personalized Information for Conservatee--Probate (form GC-342) for optional use by courts to provide the information required by Probate Code section 1835.5;
- 2. Revise and retitle *Notice of Conservatee's Rights* (form GC-341) as *Notice of* Conservatee's Rights--Probate, update and reorganize the rights listed, and

- make technical and conforming stylistic changes; and
- 3. Revise and retitle Attachment to Notice of Conservatee's Rights (form GC-341(MA)) as Attachment to Notice of Conservatee's Rights--Probate, add items for use to document recipients of form GC-341, and make technical and conforming stylistic changes.

25-162 Rules and Forms | Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement Assembly Bill 2759 (Action Required)

Summary: Assembly Bill 2759 (Petrie-Norris; Stats. 2024, ch. 535), effective January 1, 2025, created new requirements for granting a firearm exemption to a restraining order that includes a firearm or ammunition prohibition. The Family and Juvenile Law Advisory Committee recommends adopting two new firearm exemption order forms and revising several domestic violence and juvenile restraining order forms to reflect the new requirements. The committee also recommends revisions to form CLETS-001 to include an instruction for petitioners of retail theft protective orders and to make necessary updates.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Adopt two new firearm exemption order forms, *Permission to Have Firearm or* Ammunition for Work (forms DV-850 and JV-276);
- 2. Revise Confidential Information for Law Enforcement (form CLETS-001) to include an instruction for retail theft protective orders; and
- 3. Revise seven restraining order forms:
 - 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);
 - Response to Request for Juvenile Restraining Order (form JV-247);
 - Juvenile Restraining Order After Hearing (form JV-255);
 - Response to Request for Juvenile Restraining Order Against a Child (form JV-259); and
 - Juvenile Restraining Order Against a Child--Order After Hearing (form JV-265).

25-140 Rules and Forms | Protective Orders: Civil Harassment Forms to Implement Senate Bill 554 (Action Required)

<u>Summary:</u> The Civil and Small Claims Advisory Committee recommends revisions to two civil harassment restraining order forms to implement Senate Bill 554 (Stats. 2024, ch. 652). The petition (form CH-100) included in this proposal also contains proposed revisions to implement Senate Bill 899 (Stats. 2024, ch. 544).

Recommendation: The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Revise Request for Civil Harassment Restraining Orders (form CH-100) to implement legislation relating to venue in civil harassment restraining order cases (Sen. Bill 544) and to implement legislation relating to firearm and ammunition relinquishment (Sen. Bill 899); and
- 2. Revise Can a Civil Harassment Restraining Order Help Me? (form CH-100-INFO) to reflect SB 544's venue provisions and to specify that a petitioner does not need to be a resident of California to file a petition for a civil harassment restraining order.

25-138 Rules and Forms | Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899 (Action Required)

<u>Summary:</u> The Civil and Small Claims Advisory Committee recommends adopting 15 protective order forms and revising 37 protective order forms to implement significant changes to the law and to make other clarifying corrections. Changes are needed to civil harassment, elder or dependent adult abuse, gun violence, postsecondary school violence, and workplace violence restraining orders to implement Senate Bill 899 (Stats. 2024, ch. 554). The committee's recommendations to implement SB 899 are made in this report and in the reports entitled Protective Orders: Civil Harassment Forms to Implement Senate Bill 554 and Protective Orders: Postsecondary School Violence Forms to Implement Assembly Bill 2096.

Recommendation: To implement SB 899, make clarifying corrections, and make the forms more user-friendly, the Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Adopt the following forms:
 - *Prohibited Items Finding and Orders* (form CH-820);
 - Noncompliance With Firearms, Firearm Parts, and Ammunition Order (form CH-830);
 - Notice of Compliance Hearing for Firearms, Firearm Parts, and Ammunition (form CH-840);
 - Permission to Have Firearm or Ammunition for Work (form CH-850);
 - *Prohibited Items Finding and Orders* (form EA-820);
 - Noncompliance With Firearms, Firearm Parts, and Ammunition Order (form EA-830):
 - Notice of Compliance Hearing for Firearms, Firearm Parts, and Ammunition (form EA-840);
 - Permission to Have Firearm or Ammunition for Work (form EA-850);
 - Prohibited Items Finding and Orders (form GV-820);
 - Noncompliance With Firearms, Firearm Parts, Ammunition, and Magazines Order (form GV-830);
 - *Notice of Compliance Hearing for Firearms, Firearm Parts,* Ammunition, and Magazines (form GV-840);

- *Prohibited Items Finding and Orders* (form WV-820);
- Noncompliance With Firearms, Firearm Parts, and Ammunition Order (form WV-830);
- Notice of Compliance Hearing for Firearms, Firearm Parts, and Ammunition (form WV-840); and
- Permission to Have Firearm or Ammunition for Work (form WV-850).
- 2. Revise the following forms:
 - *Notice of Court Hearing* (form CH-109);
 - *Temporary Restraining Order* (form CH-110);
 - *Order on Request to Continue Hearing* (form CH-116);
 - 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);
 - *Proof of Personal Service* (form CH-200);
 - What Is "Proof of Personal Service"? (form CH-200-INFO);
 - Receipt for Firearms, Firearm Parts, and Ammunition (form CH-800);
 - How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition? (form CH-800-INFO);
 - Request for Elder or Dependent Adult Abuse Restraining Orders (form EA-100);
 - *Notice of Court Hearing* (form EA-109);
 - *Temporary Restraining Order* (form EA-110);
 - Order on Request to Continue Hearing (form EA-116);
 - 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);
 - What Is "Proof of Personal Service"? (form EA-200-INFO);
 - Order to Reschedule Hearing to Renew Restraining Order (form EA-716);
 - Receipt for Firearms, Firearm Parts, and Ammunition (form EA-800);
 - How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition? (form EA-800-INFO);
 - Gun Violence Restraining Order After Hearing on EPO-002 (form GV-030);
 - Can a Gun Violence Restraining Order Help Me? (form GV-100-INFO);
 - Temporary Gun Violence Restraining Order (form GV-110);
 - Order on Request to Continue Hearing (form GV-116);

- Gun Violence Restraining Order After Hearing or Consent to Gun *Violence Restraining Order* (form GV-130);
- Petition for Workplace Violence Restraining Orders (form WV-100);
- *Notice of Court Hearing* (form WV-109);
- Temporary Restraining Order (form WV-110);
- *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);
- What Is "Proof of Personal Service"? (form WV-200-INFO);
- Receipt for Firearms, Firearm Parts, and Ammunition (form WV-800); and
- How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition? (form WV-800-INFO).

25-139 Rules and Forms | Protective Orders: Postsecondary School **Violence Forms to Implement Assembly Bill 2096** (Action Required)

<u>Summary:</u> The Civil and Small Claims Advisory Committee proposes the revision of all 26 forms in the private postsecondary school violence form set to implement Assembly Bill 2096 (Stats. 2024, ch. 947), which goes into effect on January 1, 2026, and to make other necessary changes to accurately reflect current law. The forms included with this report also contain revisions recommended to implement Senate Bill 899 (Stats. 2024, ch. 544), as well as four forms the committee recommends adopting to implement that law. Those recommendations are explained in a separate proposal entitled Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899, which also includes new and revised forms for other categories of protective orders.

Recommendation: The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Adopt the following forms to implement SB 899:
 - *Prohibited Items Finding and Orders* (form SV-820);
 - Noncompliance With Firearms, Firearm Parts, and Ammunition Order (form SV-830);
 - Notice of Compliance Hearing for Firearms, Firearm Parts, and Ammunition (form SV-840); and
 - Permission to Have Firearm or Ammunition for Work (form SV-850).
- 2. Revise the following forms to implement AB 2096 or SB 899, or both:

- Petition for Postsecondary School Violence Restraining Orders (form SV-100);
- How Do I Get an Order to Prohibit Postsecondary School Violence? (form SV-100-INFO);
- *Notice of Court Hearing* (form SV-109);
- Temporary Restraining Order (form SV-110);
- Request to Continue Court Hearing (form SV-115);
- *How to Ask for a New Hearing Date* (form SV-115-INFO);
- Order on Request to Continue Hearing (form SV-116);
- Response to Petition for Postsecondary School Violence Restraining Orders (form SV-120);
- How Can I Respond to a Petition for Postsecondary School Violence Restraining Orders (form SV-120-INFO);
- Postsecondary School Violence Restraining Order After Hearing (form SV-130);
- *Proof of Personal Service* (form SV-200);
- What Is "Proof of Personal Service"? (form SV-200-INFO);
- *Proof of Service of Response by Mail* (form SV-250);
- Proof of Service of Order After Hearing by Mail (form SV-260);
- Request to Modify/Terminate Postsecondary School Violence Restraining Order (form SV-600);
- Notice of Hearing on Request to Modify/Terminate Postsecondary School Violence Restraining Order (form SV-610);
- Response to Request to Modify/Terminate Postsecondary School Violence Restraining Order (form SV-620);
- Order on Request to Modify/Terminate Postsecondary School Violence Restraining Order (form SV-630);
- Request to Renew Restraining Order (form SV-700);
- *Notice of Hearing to Renew Restraining Order* (form SV-710);
- Request to Reschedule Hearing to Renew Restraining Order (form SV-715);
- Order to Reschedule Hearing to Renew Restraining Order (form SV-716);
- Response to Request to Renew Restraining Order (form SV-720);
- Order Renewing Postsecondary School Violence Restraining Order (form SV-730);
- Receipt for Firearms, Firearm Parts, and Ammunition (form SV-800); and
- How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition? (form SV-800-INFO).

<u>25-148</u> Rules and Forms | Unlawful Detainer: Form Revisions to Reflect Repeal of COVID-19 Legislation (Action Required)

Summary: Several statutes enacted to address the COVID-19 pandemic have been repealed. The Civil and Small Claims Advisory Committee recommends revising four forms and revoking 10 forms to implement these changes in law, revising one unlawful detainer form to refer to the federal CARES Act, and revising one summons form to make nonsubstantive corrections.

Recommendation: The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

- 1. Revise the following forms to remove references to repealed COVID-19 legislation or other forms implementing that legislation:
 - Plaintiff's Claim and Order to Go to Small Claims Court (form SC-100);
 - *Fictitious Business Name* (form SC-103);
 - What Is "Proof of Service"? (form SC-104B); and
 - Answer--Unlawful Detainer (form UD-105).
- 2. Revise Summons--Eviction (form SUM-130) to make nonsubstantive corrections:
- 3. Revise Complaint--Unlawful Detainer (form UD-100) to add a subitem regarding the federal CARES Act and to add an item implementing Health and Safety Code section 50897.3(e)(2); and
- 4. Revoke the following forms because their implementing statutes have been repealed:
 - Complaint--Recovery of COVID-19 Rental Debt (form PLD-C-500);
 - *Answer--Recovery of COVID-19 Rental Debt* (form PLD-C-505);
 - Verification by Plaintiff Regarding Rental Assistance--Recovery of COVID-19 Rental Debt (form PLD-C-520);
 - Plaintiff's Claim and Order to Go to Small Claims Court (COVID-19 Rental Debt) (form SC-500);
 - Other Plaintiffs or Defendants (COVID-19 Rental Debt) (form SC-500A);
 - *COVID-19 Rental Debt in Small Claims Court* (SC-500-INFO);
 - Plaintiff's Mandatory Cover Sheet and Supplemental Allegations--Unlawful Detainer (form UD-101);
 - Cover Sheet for Declaration of COVID-19-Related Financial Distress (form UD-104);
 - Attachment--Declaration of COVID-19-Related Financial Distress (form UD-104(A)); and
 - Application to Prevent Forfeiture Due to COVID-19 Rental Debt (form UD-125).

25-165

Sargent Shriver Civil Counsel Act | Fiscal Year 2025-26 Trial Court Trust Fund Allocation Increase for Sargent Shriver Civil Counsel **Program (Action Required)**

Summary: The Trial Court Budget Advisory Committee recommends approving a \$1.4 million augmentation to the fiscal year 2025-26 Trial Court Trust Fund allocation for the Sargent Shriver Civil Counsel Program. The additional funding would be taken from program reserves and distributed on a pro rata basis to current Shriver projects to expand and sustain legal representation and court services in housing and other civil cases.

Recommendation: The Trial Court Budget Advisory Committee recommends the Judicial Council, effective October 24, 2025, approve an increase to the approved fiscal year (FY) 2025-26 Trial Court Trust Fund allocation for the Sargent Shriver Civil Counsel Program of \$1.4 million, which results in a total program allocation of \$19.6 million for the current year. This amount will be allocated and distributed to current Shriver projects, on a pro rata basis according to the award amounts for the 2023-26 grant cycle, for FY 2025-26 as identified in Attachment A.

DISCUSSION AGENDA

25-063 **Juvenile Law | Court Adoption and Permanency Month** (Action Required)

<u>Summary:</u> The Family and Juvenile Law Advisory Committee recommends adopting a resolution proclaiming November 2025 to be Court Adoption and Permanency Month. This resolution would recognize the ongoing efforts of California's juvenile courts and their justice partners to provide children and families with access to fair, understandable judicial proceedings leading to timely and well-informed permanency outcomes that are in the best interest of the child.

Recommendation: The Family and Juvenile Law Advisory Committee recommends that, effective October 24, 2025, the Judicial Council adopt a resolution proclaiming November 2025 to be Court Adoption and Permanency Month.

> A motion to approve the recommendation was made by Ms. Hill and seconded by Justice Corrigan. The motion was adopted.

INFORMATION AGENDA (NO ACTION REQUIRED)

25-119 Judicial Council Update | Report on Compliance With Education Rules for Justices and Judges

<u>Summary:</u> The Supreme Court, Courts of Appeal, and trial courts have submitted to the Judicial Council cumulative records of participation in education by their benches, as required under California Rules of Court, rule 10.452(d)(6) and (e)(7), for the 2022-2024 education cycle, which concluded on December 31, 2024.

25-169 **Judicial Council Update | Trial Court Facility Modifications Report** for Quarter 4 and Annual Summary for Fiscal Year 2024-25

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 2024-25, 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.

25-137 Report to the Legislature | Annual Report on Contracts for the Trial Courts for the Fiscal Year Ended June 30, 2025

Summary: Section 19209 of the Public Contract Code and the *Judicial Branch Contracting* Manual require that the Judicial Council submit a report annually to the Joint Legislative Budget Committee and the State Auditor to provide information related to contracts and payments from the trial courts to all vendors and contractors. The report includes a list of vendors and contractors as required by section 19209(b) and identifies the amounts of payments to the contractors and vendors, the types of services and goods provided, and the trial courts with which the contractors and vendors contracted to provide those goods and services. The report summary also includes a list of all amended contracts as required by section 19209(c), including any changes to the contract value, types of services or goods, or contract. For the latest reporting period, the Judicial Council reports 34,656 payments representing \$713.66 million for trial courts. As mandated, Judicial Council staff submitted this report by September 30, 2025.

25-152 Trial Courts | Public Notice of Court Closures or Reduced Clerks' Office Hours

<u>Summary:</u> Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and relay them to the Legislature. This report lists the latest court notices received by the council under this statutory requirement. Since the previous report, one superior court--the Superior Court of Fresno County--has issued a new notice.

Judicial Council Internal Committee Reports

25-166 Written Reports

Circulating Orders

25-173 Circulating Orders since the last business meeting.

Appointment Orders

25-136 Appointment Orders since the last business meeting.

Adjournment

With the meeting's business completed, the Chief Justice adjourned the meeting at approximately 11:08 a.m.

Respectfully submitted by Administrative Director Michelle Curran, Secretary to the Judicial Council, on December 12, 2025.