



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 24-018*

For business meeting on September 20, 2024

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**Title**

Judicial Council: Rules Committee Report

**Agenda Item Type**

Information Only

**Submitted by**

Rules Committee

Hon. Carin T. Fujisaki, Chair

Hon. Michelle Williams Court, Vice-Chair

**Date of Report**

September 10, 2024

**Contact**

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### Executive Summary

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

This report describes the committee’s activities since the July 12, 2024, Judicial Council meeting. These activities include the committee’s recommendations for council approval of the rules, forms, and jury instructions proposals identified below, all which are on the consent agenda for the September 20 council meeting.

### Overview of Committee Meetings

Since the council’s last meeting, the Rules Committee has met by videoconference three times.

On **August 6**, the Rules Committee met by videoconference to consider:

- Sixteen proposed reports to the Judicial Council with recommendations for new and revised rules and forms, all of which had circulated during the spring public comment cycle:
  - *Appellate Procedure: Civil Case Information Statement, Calendar Preference, and Extension of Time*
  - *Appellate Procedure: Expanded Clerk's Transcript in Criminal Appeals*
  - *Appellate Procedure: Deadline for Amicus Curiae Briefs*
  - *Appellate Procedure: Form Briefs for Use in Limited Civil Appeals*
  - *Civil Practice and Procedure: Order on Unlawful Use of Personal Identifying*
  - *Civil Practice and Procedure: Memorandum of Costs*
  - *Civil Practice and Procedure: Tentative Rulings*
  - *Civil Practice and Procedures: Case Dismissal with Retained Jurisdiction*
  - *CEQA Actions: Initial Case Management Conferences*
  - *Judicial Branch Education: Fairness and Access Requirements*
  - *Criminal Law: Parole Period Advisement*
  - *Criminal Law: Firearm and Body Armor Prohibitions*
  - *Trial Courts: Standard 2.2 Diversion Reporting*
  - *Traffic: Mandatory Reminder Notices—Traffic Procedures*
  - *Traffic: Instructions for Notice to Appear and Related Forms*
  - *Traffic: Ability-to-Pay Request Form and Court Order*

**Actions:** The Rules Committee approved all the proposed reports and recommended they go on the council's consent agenda for the September 20 meeting.

On **August 13, 2024**, the Rules Committee met by videoconference to consider:

- Nine proposed reports to the Judicial Council with recommendations for new and revised rules and forms that had circulated during the spring public comment cycle:
  - *Court Interpreters: Implementation of Assembly Bill 1032*
  - *Probate Conservatorship: Confidential Declaration Forms*
  - *Probate Guardianship: Participation of a Minor Ward in Court*
  - *Juvenile Law: Restraining Orders*
  - *Protective Orders: Rule and Form Changes to Implement Senate Bill 459*
  - *Protective Orders: Implementation of Body Armor Restrictions Under AB 92*
  - *Protective Orders: Revisions to Civil Forms to Implement New Law*
  - *Family and Juvenile Law: Recognition and Enforcement of Tribal Court Child Custody Orders*
  - *Criminal Law and Family Law: Changes to Form MIL-100*

- One proposed report to the Judicial Council with recommendations for new and revised rules and forms that did not need to circulate for comment, under rule 10.22(d):
  - *Family and Juvenile Law: Technical Changes*
- One jury instructions proposal from the Advisory Committee on Criminal Jury Instructions:
  - A proposed report to the council to approve additions and revisions to criminal jury instructions (2024 Supplement) that circulated for public comment.

**Action:** The Rules Committee approved the proposed reports and recommended they go on the council’s consent agenda for the September 20 meeting.

On **August 30, 2024**, the Rules Committee met by videoconference to consider:

- Three proposed reports to the Judicial Council with recommendations for new and revised rules and forms, all of which had circulated during the spring public comment cycle:
  - *Civil Practice and Procedure: Rule and Forms to Implement Assembly Bill 1119*
  - *Juvenile Law: Harm of Removal*
  - *Probate Conservatorship: Care Plan*

**Action:** The Rules Committee approved all the proposed reports and recommended they go on the council’s consent agenda for the September 20 meeting. The vote was unanimous as to the second two proposals listed above. As to the first item, the Rules Committee voted 6-1 to approve the proposal.

### **Recommendation to the Judicial Council**

The Rules Committee recommends that the Judicial Council approve the recommendations in the council reports on the rules, forms, and jury instructions identified above.