



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-017

For business meeting on November 15, 2024

Title

Judicial Council: Rules Committee Report

Report Type

Information

Submitted by

Rules Committee

Hon. Carin T. Fujisaki, Chair

Date of Report

November 6, 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 September 20, 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 but one of which are on the consent agenda for the November 15 council meeting.

Overview of Committee Meetings

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

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

- One proposed report to the Judicial Council from the Family and Juvenile Law Advisory Committee recommending the adoption of one new form and revision of six forms, which were circulated for public comment during the spring cycle:
 - *Family Law: Adoption Forms*

- One proposed report to the Judicial Council for a revised form not circulated for public comment because the form changes are either technical in nature and necessary to correct inadvertent omissions or incorrect references, or minor substantive changes. The Rules Committee determined the recommendations are within the Judicial Council’s purview to adopt without circulation (see Cal. Rules of Court, rule 10.22(d)(2)):
 - *Protective Order: Technical Changes*
- Two jury instruction proposals from the Advisory Committee on Civil Jury Instructions:
 - A proposed report to the council to approve additions and revisions to civil jury instructions (Release 46) that circulated for public comment; and
 - A recommendation for final action by the Rules Committee for minor or nonsubstantive revisions, for which the council has delegated to the Rules Committee the authority to approve.

Action: The Rules Committee approved all proposed reports to go forward to the consent agenda for the council’s November 15 meeting except for *Family Law: Adoption Forms*; that report is recommended for the discussion agenda. And as indicated, the Rules Committee took final action in approving the minor and nonsubstantive revisions to civil jury instructions.

On **October 22, 2024**, the Rules Committee met by videoconference to consider the proposed annual agendas for the 2024–2025 rules cycle for each of the eight committees under its oversight:

- Appellate Advisory Committee
- Civil and Small Claims Advisory Committee
- Civil Jury Instructions Advisory Committee
- Criminal Jury Instructions Advisory Committee
- Criminal Law Advisory Committee
- Family and Juvenile Law Advisory Committee
- Probate and Mental Health Advisory Committee
- Traffic Advisory Committee

Action: Following discussion with the chairs and staff of the advisory committees, an annual agenda for each committee was approved; they are posted on the California Courts website on each advisory committee’s webpage and at the webpage listing all annual agendas for Judicial Council advisory bodies at www.courts.ca.gov/32214.htm.

Recommendation to the Judicial Council

The Rules Committee recommends council approval of the rules, forms, and jury instructions recommendations in the reports identified above. All of these proposals are on the council's consent agenda for the November meeting except for *Family Law: Adoption Forms*, which is on the discussion agenda.