



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 24-059*

For business meeting on January 19, 2024

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**Title**

Rules and Forms: Elections Code Reports

**Agenda Item Type**

Action Required

**Rules, Forms, Standards, or Statutes Affected**

Adopt Cal. Rules of Court, title 10, division 4, chapter 15, Elections Code Reports

**Effective Date**

January 22, 2024

**Recommended by**

Hon. Jayne Chong-Soon Lee, Chair  
Probate and Mental Health Advisory  
Committee

**Date of Report**

December 21, 2023

Hon. Brian M. Hoffstadt, Chair  
Criminal Law Advisory Committee

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### Executive Summary

The chairs of the Probate and Mental Health Advisory Committee and the Criminal Law Advisory Committee recommend adopting chapter 15, Elections Code Reports, in title 10, division 4 of the California Rules of Court and placing rule 10.970 in the new chapter. The Judicial Council adopted rule 10.970, effective January 1, 2024, to implement Assembly Bill 2841, which added section 2211.5 to the Elections Code to require trial courts to report to the Secretary of State judicial determinations under Elections Code sections 2208–2211 disqualifying a person from voting or restoring a person’s right to register to vote. The legislation expressly required the Judicial Council to adopt rules and forms.

### Recommendation

The chairs of the Probate and Mental Health Advisory Committee and the Criminal Law Advisory Committee recommend that the Judicial Council, effective January 22, 2024, adopt chapter 15, Elections Code Reports, in title 10, division 4 of the California Rules of Court.

The text of the proposed new chapter is attached at page 4.

## Relevant Previous Council Action

At its meeting on September 19, 2023, the Judicial Council adopted California Rules of Court, rule 10.970, effective January 1, 2024, to implement Assembly Bill 2841. The proposed new chapter 15, Elections Code Reports, would comprise rule 10.970.

## Analysis/Rationale

Effective January 1, 2023, and operative January 1, 2024, Assembly Bill 2841 (Stats. 2022, ch. 807) added section 2211.5 to the Elections Code to require the trial courts to report monthly to the Secretary of State judicial determinations under Elections Code sections 2208–2211 disqualifying a person from voting or restoring a person’s right to register to vote. Before AB 2841’s operative date, courts reported judicial determinations under Elections Code sections 2208–2211 on a case-by-case basis to both county elections officials and the Secretary of State.

To implement AB 2841, the Judicial Council adopted rule 10.970, effective January 1, 2024, to specify a process for the trial courts to use to submit to the Secretary of State the reports required by Elections Code section 2211.5.<sup>1</sup> Rule 10.970 was intended to fall under a new chapter of division 4 of title 10. However, the committees inadvertently did not include a recommendation for a new chapter in the proposal recommending adoption of rule 10.970. This omission resulted in the rule’s inclusion, by default, in chapter 14, Management of Self-Help Centers. This proposal moves rule 10.970 into a new, appropriately named chapter to help courts locate the rule more easily.

## Policy implications

There are no policy implications to this proposal.

## Comments

This proposal was not circulated for public comment because the recommended change is a technical revision that is unlikely to create controversy and therefore within the Judicial Council’s authority to adopt without circulation. (See Cal. Rules of Court, rule 10.22(d)(2).)

## Alternatives considered

No alternatives were considered.

## Fiscal and Operational Impacts

No fiscal or operational impacts are anticipated.

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<sup>1</sup> In addition to rule 10.970, the Judicial Council also adopted *Confidential Report of Findings and Orders Affecting Voting Rights* (form MC-600) for mandatory use to submit to the Secretary of State the reports required by Elections Code section 2211.5 and approved *Attachment to Confidential Report of Findings and Orders Affecting Voting Rights* (form MC-600A) for optional use to submit the information required by Elections Code section 2211.5(a)(1) and (b). (See Judicial Council of Cal., Advisory Com. Rep., *Trial Courts: Report of Determinations Affecting Voting Rights* (July 28, 2023), <https://jcc.legistar.com/View.ashx?M=F&ID=12246585&GUID=DFB8D067-91FB-4C8D-86F5-784E8029F6AF>.)

## **Attachments and Links**

1. Cal. Rules of Court, title 10, division 4, chapter 15, Elections Code Reports, at page 4

Chapter 15 is added to division 4 of title 10 of the California Rules of Court, to read:

1		<b>Title 10. Judicial Administration Rules</b>
2		
3		<b>Division 4. Trial Court Administration</b>
4		
5		<b>Chapter 1.–Chapter 14. * * *</b>
6		
7		<b><u>Chapter 15. Elections Code Reports</u></b>
8		
9		
10	<b>Rule 10.970</b>	<b>* * *</b>