



Judicial Council of California

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Subject Details (With Text)

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Title

Rules and Forms | Appellate Procedure: Notice of Appeal and the Record in Civil Commitment Cases (Action Required)

Summary

The Appellate Advisory Committee recommends adopting a new rule of court, describing the required contents of the normal record on appeal for civil commitment cases, and highlighting the existence of the new rule in a comment to an existing rule. The committee also proposes a new form notice of appeal for civil commitment and mental health cases. This proposal is intended to provide needed guidance to litigants and the courts and ensure that appellate records in civil commitment cases are complete.

Recommendation

The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2020, adopt California Rules of Court, rule 8.483, describing the required contents of the normal record on appeal for civil commitment cases. Rule 8.483 would be included in title 8 (Appellate Rules), division 1 (Rules Relating to the Supreme Court and Courts of Appeal), chapter 6 (Conservatorship Appeals), as amended to expand the scope of chapter 6 to also apply to civil commitment appeals by renaming it “Conservatorship and Civil Commitment Appeals.” To address any potential confusion caused by the placement of the new rule, the committee also recommends adding an Advisory Committee comment to existing rule 8.320 alerting litigants to the new rule. The committee also recommends that the council approve *Notice of Appeal-Civil Commitment/Mental Health Proceedings* (form APP-060).