Judicial Council of California

Subject Details (With Text)

Please visit
courts website:
courts.ca.gov
to view live meeting on
April 24, 2026.

Meeting materials
are available through

File #:	18-127	**Version:** 1			
Type:	Rules Proposal		**Status:**	Passed	
File created:	8/7/2018		**In control:**	Judicial Council	
On agenda:	9/21/2018		**Final action:**	9/21/2018	
Title:	Appellate Procedure: Finality of Appellate Division Decisions (Action Required)				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. 20180921-18-127				

Date	Ver.	Action By	Action	Result

Title
Appellate Procedure: Finality of Appellate Division Decisions (Action Required)

Summary
The Appellate Advisory Committee recommends amending several California Rules of Court relating to the finality of appellate division decisions. The amendments would require court clerks to send appellate division decisions to the parties on the same day they are filed and tether the date of finality of appellate division decisions to the date they are sent, rather than the date they are filed.

Recommendation
The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2019, approve the following amendments:

- Amend California Rules of Court, rules 8.888(a)(2) and (b)(2), 8.889(b)(1), 8.935(b)(2), 8.976(b)(2), and 8.1005(b)(1) so that the date of finality for appellate division decisions is triggered by the date on which the court clerk sends the decision to the parties, as opposed to the date on which the decision is filed; and
- Amend rules8.887(b), 8.935(a)(1), and 8.976(a)(1) to require court clerks to send appellate division decisions to the parties, electronically when permissible, on the same day they are filed.

The amendments are intended to ensure that parties have sufficient time after receiving notice of appellate division decisions to prepare and file applications for certification for transfer and petitions for rehearing before the time the appellate division loses jurisdiction.