



Judicial Council of California

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Subject Details (With Text)

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Title

Rules and Forms | Judicial Branch Administration: Emergency Rule on Use of Technology for Remote Appearances (Action Required)

Summary

The chairs of the Judicial Council's six internal committees recommend that the Judicial Council amend emergency rule 3 effective January 1, 2022, to remove civil proceedings from the scope of the rule and to affirm that the rule continues to apply to criminal proceedings. The amendment would make the rule consistent with new Code of Civil Procedure section 367.75, enacted in Senate Bill 241 (Stats. 2021, ch. 214), which will govern remote proceedings in civil cases beginning January 1, 2022. Courts may continue to rely on the authority in emergency rule 3, however, to conduct criminal proceedings remotely as they continue to address the impact of the COVID-19 pandemic and the backlog it created.

Recommendation

The chairs of the Judicial Council's six internal committees recommend that the Judicial Council, effective January 1, 2022, amend emergency rule 3 to remove civil proceedings from the scope of the rule and to confirm that the rule will continue to apply to criminal proceedings.