



Judicial Council of California

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Subject Details (With Text)

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Title

Rules and Forms | Juvenile Law: Transfer of Jurisdiction to Criminal Court (Action Required)

Summary

The Family and Juvenile Law Advisory Committee proposes amending one rule of court and revising one form to implement recent legislative changes requiring that the court find by clear and convincing evidence that a youth is not amenable to rehabilitation while under the jurisdiction of the juvenile court. Assembly Bill 2361 amended Welfare and Institutions Code section 707 to include that standard of proof and to require the court, in an order entered upon the minutes, to state the basis for making that finding.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective September 1, 2023:

1. Amend California Rules of Court, rule 5.770 to reflect the higher evidentiary standard and the requirement for the court to state its reasons for finding that a youth is not amenable to rehabilitation while under the jurisdiction of the juvenile court; and
2. Revise *Order to Transfer Juvenile to Criminal Court Jurisdiction* (form JV-710) to reflect the higher standard of proof and the finding required by the court to order a transfer.