



Judicial Council of California

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Subject Details (With Text)

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File #: 20-173 **Version:** 1
Type: Rule/Form Proposal **Status:** Passed
File created: 8/7/2020 **In control:** Judicial Council
On agenda: 9/25/2020 **Final action:** 9/25/2020
Title: Rules and Forms | Criminal Forms: Miscellaneous Technical Changes (Action Required)
Sponsors:
Indexes:
Code sections:
Attachments: 1. 20200925-20-173

Date	Ver.	Action By	Action	Result
9/25/2020	1	Judicial Council	approved	Pass

Title

Rules and Forms | Criminal Forms: Miscellaneous Technical Changes (Action Required)

Summary

Judicial Council staff recommend revising five criminal forms to incorporate changes resulting from legislation and a prior rule amendment. The changes are technical, minor, and noncontroversial. Judicial Council staff recommend making the necessary corrections to conform to statutes and rules and avoid causing confusion for court users, clerks, and judicial officers.

Recommendation

Judicial Council staff recommend that the council, effective January 1, 2021:

1. Revise *Certificate of Identity Theft: Judicial Finding of Factual Innocence* (form CR-150) to include a gender nonbinary identification checkbox and conform to changes to Penal Code section 530.6, as amended effective January 1, 2003, to add two additional findings;
2. Revise *Order to Surrender Firearms in Domestic Violence Case* (form CR-162) to avoid the use of gendered pronouns and replace a reference to Penal Code section 136.2(a)(7)(B), which was renumbered by Assembly Bill 1850 (Stats. 2014, ch. 673);
3. Revise *Form Interrogatories-Crime Victim Restitution* (form CR-200) to correct the reference to Code of Civil Procedure section 2030, which was repealed by Assembly Bill 3081 (Stats. 2004, ch. 182), and replaced with sections 2030.010-2030.410;
4. Revise *Order for Transfer* (form CR-251) to reflect changes to Penal Code section 1203.9 and California Rules of Court, rule 4.530; and
5. Revise *Petition for Revocation* (form CR-300) to add a reference to Penal Code section 3000(b)(4), to conform to Penal Code section 3000.08(h), which was amended by Senate Bill 1023 (Stats. 2012, ch. 43) to include persons subject to parole under section 3000(b)(4) as warranting special parole status.