Title
Criminal Procedure and Juvenile Law: Judicial Council Optional Forms under Proposition 64 (Action Required)

Summary
The Criminal Law and the Family and Juvenile Law Advisory Committees recommend that the Judicial Council approve four optional forms to enable petitioner/applicants to file for resentencing, dismissal, and record sealing under the "Control, Regulate and Tax Adult Use of Marijuana Act" ("Proposition 64"), and for the forms to become effective January 23, 2017. This request responds to the enactment of Proposition 64, effective November 9, 2016, which directs the Judicial Council to "promulgate and make available all necessary forms to enable the filing of the petitions and applications" provided for in the initiative. The proposed forms are currently circulating for public comment; the comment period began on December 16, 2016, and will end on February 13, 2017. To ensure that the forms are available to courts as soon as possible, the committees seek out-of-cycle approval of the forms, prior to the closing of the period for public comment. The committees will propose any necessary revisions to the forms based on comments received to be effective September 1, 2017.

Recommendation
The Criminal Law Advisory Committee and the Family and Juvenile Law Advisory Committee jointly recommend that, effective January 23, 2017, the Judicial Council:

1. Approve optional *Petition/Application (Health and Safety Code § 11361.8(b))* (form CR-187) to allow adult offenders to obtain a new sentence, dismissal and sealing of records of specified marijuana-related convictions under Health and Safety Code section 11361.8.
2. Approve optional *Order After Petition/Application (Health and Safety Code § 11361.8(f))* (form CR-188) for courts to make the relevant orders on the request for relief under Health and Safety Code section 11361.8 for adult offenses.
3. Approve optional *Request to Reduce Juvenile Marijuana Offense (Health and Safety Code § 11361.8 (m))* (form JV-744) to allow juvenile marijuana offenders to obtain a new disposition or to have their offenses redesignated as infractions under Health and Safety Code section 11361.8.
4. Approve optional *Juvenile Order After Request to Reduce Marijuana Offense (Health and Safety Code § 11361.8(m))* (form JV-745) for courts to make the relevant orders on the requests for relief under Health and Safety Code section 11361.8 for juvenile offenses.