



Judicial Council of California

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Subject 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 recommends that the Judicial Council revoke its action on September 24, 2019, to revise rules and forms to implement recent changes in the law on the transfer of jurisdiction to a criminal court for children 14 and 15 years of age because there is a split of authority within the California Courts of Appeal as to whether these changes were enacted in a constitutional manner. Thus, there is no clear rule for trial courts to follow at this time.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective November 25, 2019, revoke the action taken on September 24, 2019, to implement proposed changes to rules and forms effective January 1, 2020, in the attached report entitled Juvenile Law: Transfer of Jurisdiction to Criminal Court. This action would restore the following rules and forms to their prior states pending the legal resolution of the status of the changes made to Welfare and Institutions Code section 707 by Senate Bill 1391:

1. California Rules of Court, rules 5.766, 5.768, and 5.770; and
2. Judicial Council forms JV-060-INFO and JV-710.