



Judicial Council of California

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Subject Details (With Text)

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Title

Rules and Forms: Miscellaneous Technical Changes (Action Required)

Summary

Various members of the judicial branch, members of the public, and Judicial Council staff have identified errors in the California Rules of Court and Judicial Council forms resulting from typographical errors and changes resulting from legislation and previous rule amendments and form revisions. Judicial Council staff recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

Recommendation

Judicial Council staff recommend that the council, effective September 1, 2018:

1. Revise form CR-112/JV 792, *Instructions: Order for Victim Restitution*, to insert the image of the new version of form CR-110/JV-790 on the first page.
2. Revise optional form JV-216, *Order Delegating Judicial Authority Over Psychotropic Medication*, as it inadvertently contains the signature block, "Type or print name of person completing this form," but should contain the standard signature block for judicial officers. The form must be signed by a judicial officer. Under Welfare and Institutions Code sections 369.5 and 739.5, only the juvenile court can issue an order delegating the authority to make decisions about psychotropic medications for children removed from the custody of a parent.
3. Revise form JV-750, *Determination of Eligibility: Deferred Entry of Judgment-Juvenile*. Welfare and Institutions Code section 790(a)(7) was added to the criteria for Deferred Entry of Judgment (Sen. Bill 838 [Beall]; Stats. 2014, ch. 919), but inadvertently was not added to form JV-750. Staff recommend adding "or 790(a)(7)" at the end of item 1.c after "section 707(b)" and before the period.
4. Revise form MC-012, *Memorandum of Costs After Judgment, Acknowledgement of Credit, and Declaration of Accrued Interest*, to correct the Code of Civil Procedure reference in item 2.b.
5. Revise all code references in the Transitional Housing forms to reflect the recasting of the relevant statutory provisions from Health and Safety Code, section 50580 et seq. to Civil Code section 1954.10 et seq. The forms to be revised are *Petition for Order Prohibiting Abuse or Program Misconduct* (form TH-100); *Order to Show Cause and Temporary Restraining Order* (form TH-110); *Participant's Response* (form TH-120); *Order After Hearing* (form TH-130); *Proof of Personal Service* (form TH-

140); *Restatement of Transitional Housing Misconduct Act* (form TH-190); *Instructions for Program Operators* (form TH-200); and *Instructions for Participants* (form TH-210).