



Judicial Council of California

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Subject Details (With Text)

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Title: Civil Practice and Procedure: Review of Denial of Request to Remove Name From Shared Gang Database (Action Required)

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9/21/2018	1	Judicial Council	approved	Pass

Title

Civil Practice and Procedure: Review of Denial of Request to Remove Name From Shared Gang Database (Action Required)

Summary

Recent legislation amended statutes relating to criminal gang databases and the process that authorizes challenges to a law enforcement agency's inclusion of a person in a shared gang database. The Civil and Small Claims Advisory Committee proposes amending the rule of court and revising the Judicial Council form that address a petition for a superior court to review a law enforcement agency's denial of a request for removal from a shared gang database to reflect this legislation.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2019:

1. Amend rule 3.2300 of the California Rules of Court to conform to changes made by legislation and further clarify the petition process; and
2. Revise form MC-1000 to change the form name, add instructions, and make changes to conform to legislation.