



Judicial Council of California

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9/21/2018	1	Judicial Council	approved	Pass

Title

Juvenile Law: Decriminalization of Penal Code section 647f (Action Required)

Summary

The Family and Juvenile Law Advisory Committee proposes approving two new forms to comply with Senate Bill 239, which requires the Judicial Council to promulgate forms to implement the legislation that repeals Penal Code section 647f and vacates convictions that were based on that code section. The proposed forms would allow those who are eligible for relief to request that their Penal Code 647f convictions be vacated and dismissed and that they be resentenced, if appropriate.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2019, approve:

1. Form JV-742, *Request to Vacate Disposition and Dismiss Penal Code Section 647f Adjudication*, which is a request for relief and includes sections:
 - To request resentencing and dismissal for young people who may be on probation for multiple offenses, only one of which is a section 647f violation;
 - To request dismissal for young people who are no longer on probation for the section 647f violation;
 - Where the applicant can waive his or her appearance;
 - Where the applicant can ask for an interpreter; and
 - Where the applicant can waive the right to the original sentencing judge; and
2. Form JV-743, *Order After Request to Vacate Disposition and Dismiss Penal Code Section 647f Adjudication*, which allows the court to either terminate delinquency jurisdiction or state which terms of probation will be vacated.