



Judicial Council of California

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Subject Details (With Text)

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File #: 19-052 **Version:** 1

Type: Rule/Form Proposal **Status:** Passed

File created: 2/4/2019 **In control:** Judicial Council

On agenda: 3/15/2019 **Final action:** 3/15/2019

Title: Rules and Forms: Miscellaneous Technical Changes (Action Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 20190315-19-052

Date	Ver.	Action By	Action	Result
3/15/2019	1	Judicial Council	approved	Pass

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 Judicial Council, effective March 15, 2019, revise:

1. Temporary Restraining Order (form CH-110) to add one additional line to Item 3, "Additional Protected Persons," to create parallel construction to Request for Civil Harassment Restraining Orders (form CH-100), which has four lines for Item 3, to ensure the petitioner carries their additional protected persons forward from the CH-100 to form CH-110.
2. Civil Harassment Restraining Order After Hearing (form CH-130) to add two additional lines to Item 3, "Additional Protected Persons," to create parallel construction to Request for Civil Harassment Restraining Orders (form CH-100), which has four lines for Item 3, to ensure the petitioner carries their additional protected persons forward from the CH-100 to form CH-130.
3. Request to Keep Minor's Information Confidential (form CH-160) at the first paragraph of instructions on the first page of the form, to replace the incorrect reference to "domestic violence restraining order" with "civil harassment restraining order."
4. Order on Request to Keep Minor's Information Confidential (form CH-165), Item 6, to replace the incorrect reference to "Attachment (2)(b)" with "Attachment 6."
5. Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Child Younger Than 18 Years of Age (form JV-682). The form is missing check boxes. There should be a check box

that lists Welfare and Institutions Code section 450(a)(1), as well as check boxes in front of items 17a.(3) and 17a.(4). The addition of these check boxes does not change the substance of the form or implement any substantive legal change; in fact, item 9a.(1) references the distinction that should also be contained in Item 17. The purpose of the revisions to these forms in 2018 was to implement legislation that allows young people who were convicted of a crime related to commercial sexual exploitation of children (CSEC) to continue in extended foster care. The addition of the check boxes to this form simply clarifies whether the young person is a former CSEC youth or not.

6. Findings and Orders After Hearing to Modify Delinquency Jurisdiction to Transition Jurisdiction for Ward Older Than 18 Years of Age (form JV-683). The form would be more clear if there were check boxes in front of items 16a and 16b. Adding these two checkboxes does not change the form in any material way or make any substantive legal change. It simply enables the court to more clearly identify which of two subsections applies to allow the court to continue jurisdiction.

7. Proof of Service-Civil (form POS-040). Revise the hours during which service may be made at a party's residence, stated in item 6a. on the form, to between 8 a.m. and 8 p.m. (the form currently states 6 p.m. as the latest time), to comply with recently amended Code of Civil Procedure section 1011(b)(1), effective upon approval.

8. Petition for Writ (Small Claims) (form SC-300). Revise the citation in the footer on the first page of the form to reflect the correct rules of court relevant to the form, rules 8.970-8.977, effective upon approval. These rules are correctly cited in the accompanying information sheet (form SC-300-INFO), but are not correct in the footer of the form itself.