



Judicial Council of California

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Subject Details (With Text)

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File #: 19-157 **Version:** 1

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

File created: 7/15/2019 **In control:** Judicial Council

On agenda: 9/24/2019 **Final action:** 9/24/2019

Title: Rules and Forms | Appellate Procedure: Advisement of Appellate Rights in Juvenile Cases (Action Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 20190924-19-157

Date	Ver.	Action By	Action	Result
9/24/2019	1	Judicial Council	approved	Pass

Title

Rules and Forms | Appellate Procedure: Advisement of Appellate Rights in Juvenile Cases (Action Required)

Summary

The Appellate Advisory Committee recommends amending the rule regarding advisement of appellate rights, which currently states that courts need only provide an advisement to parents and guardians who are present at the hearing that resulted in the judgment or order. The amendment would remove this limitation and require courts to provide this information to parents and guardians who are not present at the hearing. The committee also recommends adopting a new optional information sheet for clerks to send with court orders following a hearing to provide the advisement. This proposal, which originated with a suggestion from an attorney in San Diego, is intended to promote greater awareness of parents' and guardians' appellate rights in juvenile cases and to assist the courts in complying with the requirement to provide this notice.

Recommendation

The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2020:

1. Amend California Rules of Court, rule 5.590, to remove the limitation that courts need only provide an advisement of appellate rights to parents and guardians who are present in court for the hearing and thus require courts to send the advisement to parents and guardians not present at the hearing; and
2. Approve new optional form JV-805-INFO for courts to send after a hearing to provide the advisement of appellate rights.