



Judicial Council of California

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Subject Details (With Text)

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Title
Rules and Forms | Juvenile Law: Transfer of Jurisdiction to Criminal Court (Action Required)

Summary

Recent changes in the law on the transfer of jurisdiction to a criminal court for children 14 and 15 years of age require rule and form changes to be consistent with the new provisions. Senate Bill 1391 (Lara; Stats. 2018, ch. 1012) amends Welfare and Institutions Code section 707 to provide that a child must be at least 16 years of age to be considered for transfer of jurisdiction to criminal court unless the individual for whom transfer is sought was 14 or 15 at the time of the offense, the offense is listed in section 707(b), and the individual was not apprehended until after the end of juvenile court jurisdiction. To implement these age-related changes in the jurisdiction of the juvenile court, the Family and Juvenile Law Advisory Committee recommends that the Judicial Council amend three rules of court and one form pertaining to the transfer-of-jurisdiction process and an informational form to reflect the new provisions.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2020:

1. Amend California Rules of Court, rules 5.766, 5.768, and 5.770 to implement statutory and recent case law changes pertaining to the transfer-of-jurisdiction process;
2. Revise *Juvenile Justice Court: Information for Parents* (form JV-060-INFO) to reflect modified age limits on transferring jurisdiction to criminal court over juvenile offenders; and
3. Revise *Order to Transfer Juvenile to Criminal Court Jurisdiction* (form JV-710) to reflect recent changes in the transfer statute and case law.