



Judicial Council of California

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Subject Details (With Text)

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Title: Rules and Forms | Criminal Procedure: Felony Waiver and Plea Form (Action Required)

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9/25/2020	1	Judicial Council	approved	Pass

Title
Rules and Forms | Criminal Procedure: Felony Waiver and Plea Form (Action Required)

Summary

The Criminal Law Advisory Committee recommends revising the felony plea form to conform to multiple statutory changes that have added or changed relevant sentencing requirements and advisements, and to avoid the use of gendered pronouns.

Recommendation

The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2021, revise *Plea Form, With Explanations and Waiver of Rights--Felony* (form CR-101) to:

1. Add references to restitution fines for the revocation of postrelease community supervision and mandatory supervision, to reflect statutory changes to Penal Code section 1202.45;
2. Delete the advisement on narcotics addiction confinement to reflect the repeal of Welfare and Institutions Code sections 3041 and 3201;
3. Revise the provision on imposition of a one-year enhancement of a prison term so that the additional one-year term is imposed solely for each prior separate prison term served for a conviction of a sexually violent offense, to reflect statutory changes to Penal Code section 667.5(b);
4. Delete the requirement for certain defendants to register as narcotics offenders with a local law enforcement agency to reflect the repeal of Health and Safety Code section 11590; and
5. Avoid the use of gendered pronouns.