



Judicial Council of California

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Subject Details (With Text)

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File #: 21-053 **Version:** 1
Type: Rule/Form Proposal **Status:** Passed
File created: 11/18/2020 **In control:** Judicial Council
On agenda: 10/1/2021 **Final action:** 10/1/2021
Title: Rules and Forms | Incarcerated Individual Hand Crew Conviction Relief (Action Required)
Sponsors:
Indexes:
Code sections:
Attachments: 1. 20211001-21-053

Date	Ver.	Action By	Action	Result
10/1/2021	1	Judicial Council	approved	Pass

Title

Rules and Forms | Incarcerated Individual Hand Crew Conviction Relief (Action Required)

Summary

The Criminal Law Advisory Committee recommends four new optional forms to implement the provisions of Assembly Bill 2147 (Stats. 2020, ch. 60), which authorizes conviction relief for a petitioner who successfully participated as an incarcerated individual hand crew member in a fire camp program operated by a county or the California Department of Corrections and Rehabilitation, and has been released from custody.

Recommendation

The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2022, approve:

1. *Petition for Dismissal-Incarcerated Individual Hand Crew* (form CR-430), for use by individuals who have been criminally convicted and are no longer in custody to petition the court to (1) withdraw the plea of guilty or nolo contendere or set aside the verdict of guilty, and (2) dismiss the case in the interest of justice, based on the petitioner's successful participation as an incarcerated individual hand crew member in a fire camp program operated by a county or the California Department of Corrections and Rehabilitation (CDCR).
2. *Information on Filing a Petition for Dismissal-Incarcerated Individual Hand Crew* (form CR-430-INFO), for use by individuals seeking directions for filling out the petition form and additional information regarding the petition process.
3. *Court Cover Letter and Agency Certification-Incarcerated Individual Hand Crew* (form CR-431), for use by courts to (1) provide a copy of the petition to the appropriate county authority or the CDCR, and (2) request certification of the petitioner's successful participation as an incarcerated individual hand crew member in a fire camp program.
4. *Order on Petition-Incarcerated Individual Hand Crew* (form CR-432), for use by courts to grant or deny the petition in the interest of justice, based on the petitioner's successful participation as an incarcerated individual hand crew member in a fire camp program operated by a county or the CDCR.