



Subject Text

Meeting materials
are available through

File #: 20-062, Version: 1

Title

Rules and Forms | Protective Orders: Forms and Procedures for Protecting Minors' Information (Action Required)

Summary

Current law provides that a minor or minor's legal guardian may ask the court to make certain information regarding the minor confidential in a domestic violence or civil harassment restraining order proceeding. Assembly Bill 925 (Stats. 2019, ch. 294) changes the penalty associated with misuse or disclosure of a minor's confidential information, provides circumstances in which the confidential information may be disclosed, and allows third-party access to the confidential information under limited circumstances. This proposal is urgently needed because AB 925 took effect on January 1, 2020.

Recommendation

The Family and Juvenile Law Advisory Committee and the Civil and Small Claims Advisory Committee jointly recommend amending rules of court, adopting eight forms (a set of four in the Domestic Violence Prevention series and a set of four in the Civil Harassment Prevention series), and revising several forms, in order to implement the provisions in AB 925. Specifically, the proposal includes the following rules and forms, which would take effect on September 1, 2020:

1. Amend rules 3.1161 (civil harassment) and 5.382 (domestic violence);
2. Adopt *Request for Release of Minor's Confidential Information* (forms CH-176 and DV-176);
3. Adopt *Notice of Request for Release of Minor's Confidential Information* (forms CH-177 and DV-177);
4. Adopt *Response to Request for Release of Minor's Confidential Information* (forms CH-178 and DV-178);
5. Adopt *Order on Request for Release of Minor's Confidential Information* (forms CH-179 and DV-179);
6. Revise *Notice of Court Hearing* (forms CH-109 and DV-109);
7. Revise *Request to Keep Minor's Information Confidential* (forms CH-160 and DV-160);
8. Revise *Privacy Protection for a Minor (Person Under 18 Years Old)* (forms CH-160-INFO and DV-160-INFO);
9. Revise *Order on Request to Keep Minor's Information Confidential* (forms CH-165 and DV-165);
10. Revise *Notice of Order Protecting Information of Minor* (forms CH-170 and DV-170); and
11. Revise *Cover Sheet for Confidential Information* (forms CH-175 and DV-175).