



Judicial Council of California

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Subject Text

Meeting materials
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File #: 20-189, Version: 1

Title

Rules and Forms | Collaborative Justice: Notification of Military Status (Action Required)

Summary

The Collaborative Justice Courts Advisory Committee recommends revising *Notification of Military Status* (form MIL-100), which informs the court that a party in a court case is or was in the military, to include additional clarifying and instructional information. The revisions to the current form will enable courts to improve early identification of court litigants in all case types who have a military affiliation, and will assist courts in complying with Penal Code section 858 requirements.

Recommendation

The Collaborative Justice Courts Advisory Committee recommends that the Judicial Council, effective January 1, 2021, revise *Notification of Military Status* (form MIL-100) to:

1. Clarify that that the form can be used by both former and current members of the state and federal armed services, including the reserves, by adding “Veteran/Reserve/Active” to the title of the form.
2. Provide information as to when and how often the form may be filed.
3. Indicate that no filing fees apply to this form by adding “No Filing Fee. No filing fee or court costs are to be charged for this form” to the bottom of the form.
4. Provide information on the form’s purpose by adding clarifying language to page 2, including the statement “Filling out the MIL-100 form is a way you can let the court know about your military experience. This information may help the court consider possible benefits and protections in your case. This form can be filled out at any time.”
5. Ensure understanding that disclosure of one’s military status is optional by including additional language and the statement in bold “You do not have to provide this information to the court” to the top of page 2 of the form, and stating “Giving this information to the court is voluntary” in the instructions.
6. Make the form easier to complete by removing unnecessary items asking for entry date and status of duty.
7. Make minor wording and structural changes to improve grammar and readability.

The proposed changes seek to improve form clarity and better inform users of the broad applicability of the form, while retaining all required notifications and information for parties in criminal cases.