



Judicial Council of California

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January 19, 2024

Subject Text

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File #: 20-204, Version: 1

Title

Rules and Forms | Miscellaneous Technical Changes (Action Required)

Summary

Various members of the judicial branch, members of the public, and Judicial Council staff have identified errors in the California Rules of Court and Judicial Council forms resulting from typographical errors and changes resulting from legislation, and previous rule amendments and form revisions. Judicial Council staff recommend making the necessary corrections to avoid causing confusion for court users, clerks, and judicial officers.

Recommendation

Judicial Council staff recommend that the council, effective January 1, 2021:

1. Amend California Rules of Court, rule 5.707 to correct the statutory reference. Rule 5.707 requires that the report prepared by the social worker for the last hearing before a child turns 18 years of age include a description of the efforts to provide the child with the information, documents, and services as required under Welfare and Institutions Code section 391(e), and that the court make a finding and order regarding their provision. Due to recent legislation, the cross-references in the rule should now be to section 391(b) and (c).
2. Amend California Rules of Court, rule 5.770 to correct the statutory reference. Rule 5.770(b)(2) requires the court to evaluate the criteria in section 707(a)(2). The correct cross-reference is section 707(a)(3).
3. Revise *Order on Request to Keep Minor's Information Confidential* (form CH-165), at item 9a(2), to strike "Minor's" because it is redundant and at item 13c(2) to correct the referenced form title.
4. Revise *Notice of Request for Release of Minor's Confidential Information* (form CH-177) to change the reference on page 2 in "Next Steps for Person in 3," from CH-177 to form CH-178, and to provide the correct weblink to form CH-178.
5. Revise *Privacy Protection for a Minor (Person Under 18 Years Old) Domestic Violence Prevention* (form DV-160-INFO) to change the referenced item on page 3, paragraph 3, to item 10, not item 9: "Now take a close look at item 10, on form DV-165."
6. Revise *Order on Request to Keep Minor's Information Confidential* (form DV-165) to strike, at item 9a(2), the word "minor's" because it is redundant, and add a colon at the end of the clause in item 9a.
7. Revise *Notice of Request for Release of Minor's Confidential Information* (form DV-177) to change the reference on page 2 in "Next Steps for Person in 3" from DV-177 to form DV-178, and to provide the correct weblink to form DV-178.
8. Revise *Ex Parte Application for Order on Deposit Account Exemption* (form EJ-157) and *Order on Application for Designation of Deposit Account Exemption* (form EJ-159), to correct instruction in file-stamp box on top of the forms.
9. Revise *Declaration Regarding Notice and Service for Ex Parte Application for Order on Deposit Account Exemption* (form EJ-158), which was approved by the council as an optional form, to replace the phrase "must use" in the instructions with the phrase "may use"; the mandatory instruction was from a prior draft and was inadvertently left on the form after it was revised to be optional.
10. Revise *Spousal, Domestic Partner, or Family Support Order Attachment* (form FL-343) to, under item 11, delete subitems (1) and (2); they were from a prior draft and are not related to item 11 or intended to remain on the form.

11. Revise *Order on Petition for Access to Juvenile Case File* (form JV-573) and *Order After Judicial Review on Petition for Access to Juvenile Case File* (form JV-574) to add new boxes in the caption box section of the forms for the author to include identifying information of the child, specifically their name and date of birth. These boxes were inadvertently left off the recently revised forms.
12. Revise *Order on Prosecutor Request for Access to Sealed File* (form JV-599) to add two check boxes in items 3 and 4 to allow the judge to indicate whether the court actually received and considered any objections before granting or denying the request. The check boxes were inadvertently left off the version of this form approved by the council on September 25, 2020.
13. Revise *Order to Transfer Juvenile to Criminal Court Jurisdiction* (form JV-710) to correct a statutory reference: the form contains the court's findings and orders at item 4 and indicates the court has considered the criteria in section 707(a)(2). The correct cross-reference is section 707(a)(3).