



The Appellate Advisory Committee recommends amending a rule to provide that a petition for habeas corpus filed by an attorney need not be on the Judicial Council habeas form.

**Item A2**

**Appellate Rules: Facsimile Signatures on Stipulations for Extension of Time to File Appellate Briefs and Simplified Certification of Delivery to Client (amend Cal. Rules of Court, rules 15(b) and 45(f)) (Action Required)**

Staff: Ms. Heather Anderson

The Appellate Advisory Committee recommends amending rules to allow facsimile signatures of all but one party to a stipulation for extension of time in a civil appeal and permit counsel in civil cases to certify in the application or stipulation for extension of time, instead of in the attached proofs of service, that they have delivered a copy of the application or stipulation to their clients.

**Item A3**

**Appellate Procedure: Filing of Case Information Statement in Civil Cases (amend Cal. Rules of Court, rule 1 and adopt form APP-001 *Civil Case Information Statement*) (Action Required)**

Staff: Ms. Heather Anderson

The Appellate Advisory Committee recommends adopting a new statewide civil case information statement form and amending rule 1 to require that this form be filed in the Court of Appeal shortly after the notice of appeal in order to facilitate an early determination of appealability.

***Civil and Small Claims***

**Item A4**

**Alternative Dispute Resolution: Petition to Request Trial De Novo After Judicial Arbitration (approve form ADR-102) (Action Required)**

Staff: Ms. Heather Anderson

The Civil and Small Claims Advisory Committee recommends approving a new form for requesting a trial de novo after judicial arbitration in order to simplify the request process and save litigants the time and expense of having to draft individualized requests.

**Item A5**

**Alternative Dispute Resolution: *Petition After Attorney-Client Fee Dispute Arbitration Award and Information Regarding Rights After Attorney-Client Fee Arbitration* (approve forms ADR-103 and 103A) (Action Required)**

Staff: Ms. Heather Anderson

The Civil and Small Claims Advisory Committee recommends that the form that mediators in certain court mediation programs must use to inform the court whether or not agreement was reached in mediation be revised to provide mediators with a clear way to let the court know that a scheduled mediation did not take place.

**Item A6**

**Alternative Dispute Resolution: Mediators' Statement to Court Concerning Mediation Agreement or Nonagreement (revise form ADR-100) (Action Required)**

Staff: Ms. Heather Anderson

The Civil and Small Claims Advisory Committee recommends revising a form to provide mediators with ways of informing the court whether or not agreement was reached when a mediation ended and to provide mediator with a clear way to let the court know that a scheduled mediation did not take place.

**Item A7**

**Conducting Depositions by Telephone, Videoconference, or Other Remote Electronic Means (adopt Cal. Rules of Court, rule 333) (Action Required)**

Staff: Mr. Patrick O'Donnell

The Civil and Small Claims Advisory Committee recommends adopting a rule to implement legislation by prescribing specific procedures for conducting oral depositions by telephone, videoconference, and other remote electronic means.

**Item A8**

**Telephone Appearance at Hearings (amend Cal. Rules of Court, rule 298) (Action Required)**

Staff: Mr. Patrick O'Donnell



The Civil and Small Claims Advisory Committee recommends amending rules to conform to recent legislation and to make technical changes or corrections.

**Item A13**

***Order Granting Attorney’s Motion to be Relieved as Counsel—Civil* (revise form MC-053) (Action Required)**

Staff: Mr. Patrick O’Donnell

The Civil and Small Claims Advisory Committee recommends revising a form order to include a provision indicating where the client must be served after the motion to be relieved as counsel is granted.

**Item A14**

**Pretrial Rules (amend Cal. Rules of Court, rules 313, 321, and 323; repeal rule 377) (Action Required)**

Staff: Mr. Patrick O’Donnell

The Civil and Small Claims Advisory Committee recommends amending rules on law and motion hearings to be clearer and consistent with the policy favoring the use of plain language. The committee further recommends repealing a rule on advisory juries that is no longer necessary.

**Item A15**

**Unlawful Detainer Judgment Forms (approve forms UD-110, UD-110S, UD-115, and UD-116) (Action Required)**

Staff: Ms. Cara Vonk

The Civil and Small Claims Advisory Committee recommends adopting four new forms to provide parties and the court with direction for completing all steps necessary to enter an unlawful detainer (a) judgment, (b) conditional judgment (c) stipulation for entry of judgment, and (d) declaration for default and judgment by the court.

**Item A16**

***Authorization to Appear on Behalf of Party (Small Claims)* (approve form SC-109) (Action Required)**

Staff: Ms. Cara Vonk

The Civil and Small Claims Advisory Committee recommends approval of a new optional statewide form to conform to legislation that permits specified persons to appear on behalf of a small claims party if a declaration is filed.

**Item A17**

***Fee Waiver Forms Order on Application for Waiver of Court Fees and Costs and Order on Application for Waiver of Additional Court Fees and Costs (revise forms 982(a)(18) and 982(a)(18.1)) (Action Required)***

Staff: Ms. Cara Vonk

The Civil and Small Claims Advisory Committee recommends revising forms to:

1. Provide an option for stating “other” reasons for denying in whole or in part an application for a fee waiver on page 2 of each form;
2. Add an optional box to indicate that the court address for an evidentiary hearing on the application is the same as in the caption on the form; and
3. Add “Clerk” to the signature line as an option to grant in full a nondiscretionary fee waiver.

**Item A18**

***Case Questionnaire and Request for Statement of Witnesses and Evidence (revise forms 982(a)(21) and 982(a)(22)) (Action Required)***

Staff: Ms. Cara Vonk

The Civil and Small Claims Advisory Committee recommends revising the forms to clarify that the forms should be used in limited civil cases only.

***Criminal***  
**Item A19**

***Mentally Disordered Offenders: Form to Challenge or Accept a Recommendation of Treatment (adopt form CR-170, Notification of Decision Whether to Challenge Recommendation) (Action Required)***

Staff: Mr. Joshua Weinstein

The Criminal Law Advisory Committee recommends adopting a form to assist the courts, practitioners, and mentally disordered offenders who have been receiving outpatient treatment, in challenging or accepting recommendation for further treatment.

**Item A20**

**Abstracts of Judgment for Prison Commitments in Criminal Cases (revise forms CR-290, CR-290A, CR-290.1, and CR-292) (Action Required)**

Staff: Mr. Joshua Weinstein

The Criminal Law Advisory Committee recommends revising forms to make them consistent with current statutes and conform to legislative changes that have occurred since the forms were last updated.

*Family and Juvenile*

**Item A21**

**Governmental and Family Law: New and Revised Forms for Initiating and Processing Child Support Cases (revise form FL-600; adopt form FL-683 *Order to Show Cause (Governmental)*) (Action Required)**

Staff: Mr. Michael L. Wright

The Family and Juvenile Law Advisory Committee recommends revising a form to make the form more understandable for litigants and to more accurately track statutory language. The committee also recommends adopting a new form adapted to governmental child support actions and notices mandated in such actions.

**Item A22**

**Child Support: New *Minutes and/or Order or Judgment* and related forms (approve forms FL-692, FL-693, and FL-694 for optional use in lieu of mandatory forms; revise form FL-450) (Action Required)**

Staff: Mr. Michael L. Wright

The Family and Juvenile Law Advisory Committee recommends approving optional forms for use in lieu of mandatory forms to better serve those courts that would prefer to generate orders in the courtroom for the most common orders in a governmental child support action. The committee also recommends revising a form to add a warning that submission of the form to the court will not result in modification of child support.

**Item A23**

**California Youth Authority Commitment (amend Cal. Rules of Court, rule 1494; adopt rule 1494.5; and adopt form JV-732) (Action Required)**

Staff: Ms. Beth Kassiola

The Family and Juvenile Law Advisory Committee recommends amending a rule, adopting a rule, and adopting a new form to establish a procedure for making required judicial findings and orders when committing a youth to the California Youth Authority (CYA). The form will include necessary findings and case-specific information that will enable CYA to provide the youth necessary and appropriate discipline and treatment.

**Item A24**

**Juvenile Delinquency Forms: *Promise to Appear—Juvenile and Deferred Entry of Judgment—Dismissal and Sealing Order* (revise form JV-635; approve form JV-755) (Action Required)**

Staff: Ms. Audrey Evje

The Family and Juvenile Law Advisory Committee recommends revising a form to more accurately state the law and approving an optional form to fulfill the courts' need for guidance on how to dismiss and seal records following completion of the deferred entry of judgment process.

**Item A25**

**Juvenile Restraining Orders (amend Cal. Rules of Court, rule 1429.5; revise forms JV-245, JV-250, FL-306/JV-251, and DV-800/JV-252) (Action Required)**

Staff: Ms. Mara Bernstein

The Family and Juvenile Law Advisory Committee recommends amending a rule and revising forms to comply with recent amendments to Welfare and Institutions Code, clarify juvenile court procedures and include family law procedures regarding firearm relinquishment and reissuance of temporary restraining orders.

**Item A26**

**Juvenile Law: Delinquency Foster Care (amend Cal. Rules of Court, rules 1429.3 and 1496; adopt rules 1496.2 and 1496.3; revise form JV-625) (Action Required)**

Staff: Ms. Mara Bernstein



The Family and Juvenile Law Advisory Committee recommends amending and adopting rules and revising a form to be in compliance with statutory requirements and to more thoroughly describe procedures for obtaining a guardianship of a ward.

**Item A27**

**Juvenile Law: Joint Assessment Procedure for Children (adopt Cal. Rules of Court, rule 1403.5) (Action Required)**

Staff: Ms. Regina Deihl

The Family and Juvenile Law Advisory Committee recommends adopting a rule to establish a joint assessment procedure required by legislation

**Item A28**

**Juvenile Police Records: Notice for Release of Records and Objection; and Petition to Obtain Law Enforcement Agency Report (approve form JV-580; revise form JV-575) (Action Required)**

Staff: Ms. Regina Deihl

The Family and Juvenile Law Advisory Committee recommends approving a form and revising a form to ensure compliance with legislation regarding notification for release of a child's juvenile police records.

**Item A29**

**Juvenile Law: Local Psychotropic Medication Forms (amend Cal. Rules of Court, rule 1432.5) (Action Required)**

Staff: Ms. Eryn Shomer

The Family and Juvenile Law Advisory Committee recommends amending a rule and clarifying a form regarding the administration of psychotropic medication to children under the jurisdiction of the juvenile dependency court.

**Item A30**

**Juvenile Law: Child Custody and Visitation Orders (revise forms JV-200 and JV-205) (Action Required)**

Staff: Mr. Corby Sturges

The Family and Juvenile Law Advisory Committee recommends revising forms to clarify case identification, statutorily-defined responsibilities, and identify a form's correct authorizing statute and rule.

**Item A31**

**Family Law: *Proof of Service of Summons; Application and Order for Reissuance of Order to Show Cause* (revise form FL-115 and adopt form FL-306/JV-251) (Action Required)**

Staff: Ms. Bonnie Hough

The Family and Juvenile Law Advisory Committee recommends revision of a form and adoption of a new form to reflect changes in filing procedures and required forms and to provide a method for reissuing orders to show cause in cases not involving domestic violence.

**Item A32**

**Family Law Rules: Renumbering and Revision of Title Five of the California Rules of Court (renumber, amend, and repeal Cal. Rules of Court, per attached table, amend Rule 233) (Action Required)**

Staff: Ms. Bonnie Hough

The Family and Juvenile Law Advisory Committee recommends renumbering, amending and repealing family law rules to make them consistent with other Judicial Council rules, reflect changes in the law and procedure and make them easier to read and more accessible to court users.

**Item A33**

**Juvenile Laws Technical Amendment (amend Cal. Rules of Court, rule 1432) (Action Required)**

Staff: Mr. John A. Sweeney

The Family and Juvenile Law Advisory Committee recommends amending a rule to correct an erroneous code reference.

**Item A34**

**Judicial Service Advisory Committee (adopt Cal. Rules of Court, rule 6.57) (Action Required)**

Staff: Mr. Jim Niehaus

The Task Force on Judicial Service recommends adopting a rule to create a Judicial Service Advisory Committee and establish its area of focus and membership.

**Item A35**

**Judicial Sabbatical Pilot Program (adopt Cal. Rules of Court, rule 6.151) (Action Required)**

Staff: Mr. Jim Niehaus

The Task Force on Judicial Service recommends adopting a rule to establish a Judicial Sabbatical Program.

***Probate and Mental Health***

**Item A36**

**Probate Forms: Technical Revisions of Three Decedent's Estate, Conservatorship, and Guardianship Forms (revise forms DE-160/GC-040, GC-310, and GC-313) (Action Required)**

Staff: Mr. Patrick O'Donnell

The Probate and Mental Health Advisory Committee recommends revising forms to conform to recent legislation and to make technical changes or corrections.

***Traffic***

**Item A37**

**Statewide Procedures and Eligibility Criteria for Traffic Violator School Attendance (amend Cal. Rules of Court, rule 851) (Action Required)**

Staff: Mr. Courtney Tucker

The Traffic Advisory Committee recommends amendment of rule 851 of the California Rules of Court to further standardize and clarify the procedures and criteria for traffic violator school attendance.

**Item B**

**Trial Court Litigation Management (amend litigation management policies) (Action Required)**

Staff: Ms. Sue Hansen

The Litigation Management Committee recommends that the Judicial Council amend its litigation management policies to provide that the Judicial Council's Litigation and Excess Liability Funds will not be used for any fees, costs, settlement obligations, and judgments in claims or lawsuits arising from accidents that occur while judicial officers and court employees are driving county-owned vehicles.

~~Item C~~

**The report intended for this tab has been removed from the agenda.**

**Item D**

**Reporting of the Record Task Force: Report on its Formation and Recent Activities (Action Required)**

Staff: Ms. Claudia Ortega

The purpose of this report is to formally inform the Judicial Council of the formation and progress of the newly created Reporting of the Record Task Force. This task force will report directly and only to the council. The task force's chair and staff request that the council review and file this report.

**Discussion Agenda (Tabs E1-13)**

**ITEM E**

**RULES, FORMS, AND STANDARDS**

*Appellate*

**Item E1**

9:00–9:10 a.m.

**Appellate Procedure: Transfer of Appellate Division Cases to the Court of Appeal (repeal and adopt rules 61–69 and 106-107) (Action Required)**

The Appellate Advisory Committee recommends amending rules 61-69 and 106-107 to: (1) implement a new limited review and transfer procedure for cases transferred from the appellate division of the superior court to the Court of Appeal; (2) authorize parties to petition the Court of Appeal to transfer a case when the superior court has declined to certify the case for transfer or publication; (3) permit the Court of Appeal to transfer a case on its own motion regardless of whether it has been certified for publication; (4) update the rules to reflect changes in the law; and (5) simplify the rule language.

*Presentation (5 minutes)*

Speaker: Ms. Heather Anderson

*Discussion/Council Action (5 minutes)*

**Item E2**

9:10–9:25 a.m.

**Appellate Rules: Second Installment—Rules 19–29.9 (repeal Cal. Rules of Court, rules 19-29.9; adopt revised rules 19-29.9, new rules 36.1, 36.2, and 47.1, and related Advisory Committee Comments; amend rules 5, 13, and 40) (Action Required)**

The Appellate Advisory Committee recommends repealing existing appellate rules and adopting revised, new, and amended rules to clarify their meaning and facilitate their use by courts and practitioners.

*Presentation (5 minutes)*

Speakers: Mr. Peter Belton  
Ms. Heather Anderson

*Discussion/Council Action (10 minutes)*

***Civil and Small Claims***

**Item E3**

9:25–9:35 a.m.

**Definitions, the Form of Papers Presented for Filing, Judicial Council Forms, and Local Court Forms (amend Cal. Rules of Court, rules 200, 201.5, 202, and 202.5; adopt rules 200.1, 200.2, 200.3, 201.3, and 201.4; and amend and renumber rules 203, 203.5, 249, 387, 982, and 982.1) (Action Required)**

The Civil and Small Claims Advisory Committee recommends amending, adopting, and renumbering rules to simplify, clarify, and reorganize rules in Title Two of the California Rules of Court.

*Presentation (5 minutes)*

Speakers: Hon. Douglas P. Miller  
Mr. Patrick O'Donnell

*Discussion/Council Action (5 minutes)*

**Item E4**

9:35–9:45 a.m.

**Ex Parte Applications (amend Cal. Rules of Court, rule 379) (Action Required)**

The Civil and Small Claims Advisory Committee recommends amending a rule to provide for a shorter notice period for unlawful detainer cases and to make other clarifying changes.

*Presentation (5 minutes)*

Speakers: Hon. Douglas P. Miller  
Mr. Patrick O'Donnell

*Discussion/Council Action (5 minutes)*

*Court Technology*

**Item E5**

9:45–10:05 a.m.

**Electronic Filing and Service (adopt Cal. Rules of Court, rules 2050-2060; repeal Cal. Standards Jud. Admin., § 37) (Action Required)**

The Court Technology Advisory Committee recommends adopting rules and repealing a standard to standardize the practice of electronic filing and service throughout the courts.

*Presentation (10 minutes)*

Speakers: Hon. Joanne C. Parrilli  
Hon. Terence L. Bruiniers

*Discussion/Council Action (10 minutes)*

**Item E6**

10:05–10:25 a.m.

**Unified Family Courts: Implications for Technology (Action Required)**

*Presentation (10 minutes)*

Speaker: Ms. Diane Nunn

*Discussion/Council Action (10 minutes)*

**Item E7**

10:25–10:35 a.m.

**Achieving Permanency for Children in California: A Resolution for the Courts (Action Required)**

The Family and Juvenile Law Advisory Committee recommends adopting a resolution proclaiming November 2002 to be Court Adoption and Permanency Month.

Speakers: Ms. Diane Nunn  
Ms. Audrey Evje

10:35–10:50 a.m.

**BREAK**

*Criminal*

**Item E8**

10:50–11:05 a.m.

**Minimum Standards for Appointed Trial Counsel in Capital Cases (adopt Cal Rules of Court, rule 4.117) (Action Required)**

The Criminal Law Advisory Committee recommends adopting a rule to set statewide standards to help ensure adequate representation in death penalty trials and to avoid unnecessary delay and expense in appointing counsel.

*Presentation (5 minutes)*

Speaker: Mr. Joshua Weinstein

*Discussion/Council Action (10 minutes)*

***Family and Juvenile***

**Item E9**

11:05–11:20 a.m.

**Plain Language Domestic Violence Restraining Order Forms and Plain-Language Adoption Forms (Action Required)**

**(A) Plain Language Domestic Violence Restraining Order Forms**

**(B) Plain-Language Adoption Forms**

The Family and Juvenile Law Advisory Committee recommends adoption of plain-language forms for domestic violence restraining orders and adoption. The proposed forms would be easier for self-represented litigants to complete and understand than the current forms. The domestic violence restraining order forms were revised to comply with Assembly Bill 2030, which, upon the protected person's request, requires law enforcement to serve restraining orders without charge. The adoption forms have been adapted to comply with Assembly Bill 25, which includes provisions that allow domestic partners to adopt their partner's child using the stepparent adoption process.

*Presentation (5 minutes)*

Speakers: Ms. Tamara Abrams  
Ms. Suzanne Murphy  
Ms Jennifer Walter

*Discussion/Council Action (10 minutes)*

**Item E10**

11:20–11:35 a.m.

**Appointment of CAPTA Guardians Ad Litem for Children in Judicial Proceedings Involving Abuse or Neglect of a Child (amend Cal. Rules of Court, rules 1401 and 1438; adopt rule 1448) (Action Required)**

The Family and Juvenile Law Advisory Committee recommends adopting new rules and amending existing rules to comply with legislation and the council's request to define the role, responsibilities, and limitations of the CAPTA guardians ad litem appointed for children in such cases, specifying whether attorneys or Court Appointed Special Advocates must be appointed in that capacity.

*Presentation (5 minutes)*

Speaker: Ms. Diane Nunn

*Discussion/Council Action (10 minutes)*

**Item E11**

11:35–11:45 a.m.

**Domestic Violence: Criminal Protective Orders and Rules for Court Communication Regarding Child Custody Orders (adopt rule 5.500; adopt form CR-165; and revise and renumber form MC-220 ) (Action Required)**

The Criminal Law Advisory Committee and the Family and Juvenile Law Advisory Committee recommend adopting a rule and a form and amending an existing form to comply with legislation and reduce the likelihood of conflicting orders being issued regarding the same parties.

*Presentation (5 minutes)*

Speakers: Ms. Tamara Abrams  
Ms. Diane Nunn  
Mr. Joshua Weinstein

*Discussion/Council Action (5 minutes)*

***Judicial Administration***

**Item E12**

11:45–12:00 p.m.

**Subordinate Judicial Officers: Qualifications and Education (adopt Cal. Rules of Court, rule 6.660) (Action Required)**

AOC staff recommends adopting a new rule to establish a minimum qualification and education standards for subordinate judicial officers.

*Presentation (5 minutes)*

Speakers: Mr. Fred Miller  
Ms. Sonya Smith

*Discussion/Council Action (10 minutes)*



***Probate and Mental Health***

**Item E13**

12:00–12:20 p.m.

**Probate Proceedings: Rules Governing Notice, Pleadings, Inventory and Appraisal, Accounts, Bonds, and Compensation in Probate Proceedings, and Concerning Compensation of Attorneys Representing Minors and Incompetent Persons (adopt Cal. Rules of Court, rules 7.50-7.55, 7.103, 7.104, 7.454, 7.550, 7.700-7.707, 7.750-7.756, and 7.955; amend rules 7.1-7.3, 7.102, 7.204, and 7.501; and amend the titles of chapters 2, 12, 15, and 16 of title 7) (Action Required)**

The Probate and Mental Health Advisory Committee recommends adopting and amending rules and amending chapter titles to support the goal of modernizing the management and administration of the courts through uniform rules of practice and procedure in probate proceedings.

*Presentation (10 minutes)*

Speakers: Hon. Stephen D. Gunnison  
Mr. Douglas C. Miller

*Discussion/Council Action (10 minutes)*

**No Circulating Orders Were Approved  
Since Last Business Meeting**

**Judicial Council Appointment Orders  
Since Last Business Meeting**  
[Appointment Order Tab]