

Minutes  
Rules and Projects Committee Meeting  
Video-Conference  
April 11, 2012  
10:30 a.m. - 3:00 p.m.

*Proposals to approve for circulation for comment  
and to recommend for Judicial Council action*

**RUPRO members present:** Hon. Harry E. Hull, Jr. (chair), Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Mr. Alan Carlson, Hon. David De Alba, Hon. Emilie H. Elias, Hon. Teri Jackson, and Hon. Ira R. Kaufman.

**RUPRO member absent:** Ms. Miriam Krinsky.

**RUPRO staff present:** Deborah Brown, Susan R. McMullan, Patrick O'Donnell, and Camilla Kieliger.

**AOC staff present:** Heather Anderson, Mara Bernstein, Arturo Castro, Christine Cleary, Audrey Fancy, Bonnie Hough, Douglas C. Miller, Anne Ronan, Gabrielle Selden, Corby Sturges, Courtney Tucker, and Alan Wiener.

**Others present:** Hon. Kathryn Doi Todd, Hon. Leonard Edwards, Hon. Mary Ann O'Malley, Hon. Cindy Mayfield, Hon. Douglas P. Miller, Hon. Dennis Perluss, and Hon. Dean Stout.

### **Domestic Violence & Protective Orders**

**Item 1**      **Protective Orders: Notice of New Hearing and Order on Reissuance** (approve form DV-116)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

Delete the four questions directed specifically at courts on page 3.

**Item 2**      **Protective Orders: Revise Emergency Protective Order Form** (revise form EPO-001)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*EPO-001:*

*Item 12:* Add box to indicate whether a juvenile case is pending.

## Family and Juvenile

**Item 3      Family Law: Revise Domestic Partnership Forms to Include Dissolution, Legal Separation, or Nullity of Same-Sex Marriage** (revise forms FL-103 and FL-123)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

*Page 2, third paragraph, last line:* Change to “or in a place outside California that will not dissolve the marriage.”

Add request for specific comment on whether there is a need to address couples married outside California.

*FL-103:*

*Item 1.a.1:* Add “with the state of California” at the end of the sentence.

**Item 4      Family Law: Adoption Forms Proposed Revisions** (revise forms ADOPT-200 and ADOPT-215)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

Add link to New Jersey rules addressing the Hague adoption convention and request specific comment on whether the proposed forms should address that.

*ADOPT-200:*

*Item 7:* Revise to list two separate requirements, stating that the *Parental Notification of Indian Status* must be attached, and if the child may have Indian registry, forms ADOPT-220 and ICWA-10(A) must also be attached.

*Item 16:*

Add space to state the reasons for the requested earlier date.

**Item 5      Juvenile Law: Interstate Compact on the Placement of Children** (amend rule 5.616, revise forms JV-565 and JV-567)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

**Item 6      Juvenile Law: Access to Services** (adopt Cal. Rules of Court, rule 5.652; amend rules 5.502, 5.534, 5.650, 5.651, 5.695, 5.708, and 5.790; renumber rules 5.651 and 5.652; revise form JV-535)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

**Item 7      Juvenile Law: Dependency Counsel Collection Program Guidelines and Forms** (adopt Dependency Counsel Collections Program Manual; approve forms JV-131, JV-

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

Add a sentence to clarify that statute requires funds to be distributed to the Tiral Court Trust Fund, and that any change must be addressed by changing the statute.

Clarify that courts must implement the statute, but can use the proposed optional forms and guidelines if they so choose, or develop their own programs.

Add requests for specific comments on how to increase flexibility in and decrease the cost of implementing the program within the constraints of statute.

*JV-131-INFO:*

Page 1, second box, first bullet: Change “income and expense form” to “financial declaration.”

## Appellate

**Item 8      Appellate Procedure: Appointment of Counsel in Juvenile Delinquency Proceedings** (amend Cal. Rules of Court, rule 8.403)

**Action:** The Rules and Projects Committee approved the proposal for circulation. The committee also suggested that the Appellate Advisory Committee consult the Appellate Presiding Justices Advisory Committee on the difficulty of collecting fees or reimbursement from parents.

**Item 9      Appellate Procedure: Contents of normal record in certain criminal appeals** (amend Cal. Rules of Court, rules 8.320, 8.867 and 8.920)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Rule 8.320:*

*(d)(1)(E)(ii):* Delete “on” and add semicolon at the end of the sentence.

**Item 10     Appellate Procedure: Premature or late notice of intent to file writ petition in juvenile dependency proceeding** (amend Cal. Rules of Court, rule 8.450)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Rule 8.450:*

*Advisory Committee Comment on subd (f):*

Clarify to indicate that a *party* may refile a premature notice of intent to file a writ petition under Welfare and Institutions Code section 366.26 after an order setting a hearing under Welfare and Institutions Code section 366.26 is made.

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**Item 11 Appellate Procedure: Administrative records** (amend Cal. Rules of Court, rule 8.123)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

**Item 12 Appellate Procedure: Costs on appeal** (amend Cal. Rules of Court, rule 8.278)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

Request specific comment on whether a cap should be set on the recoverable interest expenses incurred to borrow funds to obtain a letter of credit.

**Item 13 Appellate Procedure: Court of Appeal records** (amend Cal. Rules of Court, rule 10.1028)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

### **Appellate and Court Technology**

**Item 14 Appellate Procedure: Copies of Court of Appeal briefs in civil cases sent to the Supreme Court** (amend California Rules of Court, rules 8.44 and 8.212)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

Add request for specific comment on whether the requirement in rule 8.212(c)(1) for service of a copy of each brief on the superior court clerk for delivery to the trial judge also should be deleted.

**Item 15 Trial and Appellate Procedure: Addresses and telephone numbers of parties and attorneys** (amend Cal. Rules of Court, rules 2.200, 8.32, 8.40, 8.204, 8.816, 8.883, and 8.928 and revise forms APP-101-INFO, CR-131-INFO, CR-141-INFO and MC-040)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

### **Civil and Small Claims**

**Item 16 Alternative Dispute Resolution: Judicial Arbitration** (amend Cal. Rules of Court, rules 3.817, 3.818, 3.819, 3.825, 3.827, and 3.829)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Rule 3.829:*

Remove the rule from the proposal and refer it to the advisory committee to clarify

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how to deal with contents of an award in partial settlements.

- Item 17**     **Small Claims: Form to Dismiss and Give Notice of Entry of Dismissal** (approve form SC-198)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

Request specific comment on whether instructions on form SC-198 should explain what happens if the dismissal is filed but not entered.

- Item 18**     **Small Claims: Forms to Address Default in Payment of Judgment in Installments** (approve forms SC-225 and SC-225A)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

- Item 19**     **Civil Practice and Procedure: Notice of Conditional Settlement** (amend Cal. Rules of Court, rule 3.1385)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

- Item 20**     **Civil Trials: Voir Dire Rules** (amend rules 2.1034 and 3.1540)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

- Item 21**     **Civil Discovery: *Form Interrogatories–Construction Litigation*** (new form DISC-005)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

## **Criminal**

- Item 22**     **Criminal Justice Realignment: Felony Waiver and Plea Form** (revise form CR-101)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

Revise proposed effective date to January 1, 2013.

- Item 23**     **Criminal Procedure: Transcripts of Notification of Appeal Rights** (revise rule 4.305 and repeal rule 4.470)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

## **Probate**

- Item 24**     **Probate Guardianships: Communications between California courts on**

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**guardianship venue issues** (adopt rule 7.1014)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Rule 7.1014:*

*(c)(1)(D):* Delete “any” before “orders”.

**Item 25      Probate Guardianships: Testimony of (Proposed) Wards and Other Children in Guardianship Cases** (adopt Cal. Rules of Court, rule 7.1016)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

**Item 26      Probate: Notice to Creditors in Decedents’ Estates** (revise forms DE-121 and DE-157)

**Action:** The Rules and Projects Committee approved the proposal for circulation with the following modifications:

*Invitation to Comment:*

Add language to clarify that if there are changes to the proposed legislation, the forms would also be revised as applicable.

**Item 27      Item withdrawn**

## **Traffic**

**Item 28      Traffic and Criminal Law: Notice to Appear Forms** (amend Cal. Rules of Court, rule 4.103; revise form TR-INST; and adopt form TR-140)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

## **Other Business**

**Item 29      Appellate Procedure: Review of California Environmental Quality Act Cases Under Public Resources Code Sections 21178–21189.3**

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council’s April 24, 2012, consent agenda, with an effective date of July 1, 2012.

*Approved by the committee on September 10, 2012*

# Minutes

## Rules and Projects Committee Teleconference

Thursday, May 3, 2012

4:00 - 4:15 p.m.

800-644-1474 (Conference room 5619)

**RUPRO members present:** Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Mr. Alan Carlson, and Hon. Emilie H. Elias.

**RUPRO members absent:** Hon. Harry E. Hull, Jr. (chair) Hon. David De Alba, Hon. Teri Jackson, Hon. Ira R. Kaufman, and Ms. Miriam Krinsky.

**RUPRO staff present:** Ms. Deborah Brown, Ms. Susan R. McMullan, and Mr. Patrick O'Donnell.

**AOC staff present:** Mr. Bruce Greenlee and Mr. Douglas C. Miller.

### *Proposals to approve and recommend for Judicial Council action*

#### **Civil Jury Instructions (CACI)**

**Item 1A**      **Civil Jury Instructions: Approve Publication of Minor Revisions** (75 instructions with only changes to directions for use, additions to sources and authority, or minor nonsubstantive changes to instruction text)

**Action:** The Rules and Projects Committee approved publication of the minor revisions, with an effective date of June 22, 2012.

**Item 1B**      **Civil Jury Instructions: Additions and Revisions** (25 new and revised instructions and verdict forms)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's June 22, 2012, consent agenda, with an effective date of June 22, 2012.

#### **Probate**

**Item 2**      **Probate Conservatorships and Guardianships: Guidelines to Assist in Determining Financial Eligibility for County Payment of the Cost of Counsel Appointed by the Court in Proceedings Under the Guardianship-Conservatorship Law** (amend rule 1.4(d) and adopt Appendix E)

**Action:** The Rules and Projects Committee approved the proposal for circulation.

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**Item 3**      **Minutes** (March 15, 2012; March 28, 2012; April 16, 2012; and April 17, 2012)

**Action:** The Rules and Projects Committee approved the minutes.

*Approved by the committee on September 10, 2012*



# Minutes

## Rules and Projects Committee

Proposal Circulated by Email on Tuesday, May 15, 2012  
and approved on Monday, May 21, 2012

**Members participating:** Hon. Harry E. Hull, Jr., (chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Mr. Alan Carlson, Hon. David De Alba, and Hon. Teri L. Jackson.

**Members not participating:** Hon. Erica Yew (vice-chair), Hon. Emilie H. Elias, Hon. Ira R. Kaufman, and Ms. Miriam Krinsky.

**RUPRO staff participating:** Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

**AOC staff participating:** Mr. Courtney Tucker.

### *Proposals to recommend for Judicial Council action*

**Item 1**            **Traffic: Form Agreement for Installment Payments Under Vehicle Code Section 42007** (revise form TR-310)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's June 22, 2012, consent agenda, with an effective date of July 1, 2012.

*Approved by the committee on September 10, 2012*

**Minutes**  
**Rules and Projects Committee**  
Proposal Circulated by Email on Monday, June 25, 2012  
and approved on Monday, June 25, 2012

**Members participating:** Hon. Harry E. Hull, Jr., (chair), Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Mr. Alan Carlson, Hon. David De Alba, Hon. Emilie H. Elias, Hon. Teri L. Jackson, and Hon. Ira R. Kaufman.

**Members not participating:** Ms. Miriam Krinsky.

**RUPRO staff participating:** Ms. Deborah Brown, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

**Item 1            Letter to Advisory Committee chairs requesting rule and form proposals to achieve cost savings and efficiencies**

**Action:** The Rules and Projects Committee approved the letter for distribution.

*Approved by the committee on September 10, 2012*

**Minutes**  
**Rules and Projects Committee**  
Proposal Circulated by Email on Thursday, July 5, 2012  
and approved on Monday, July 9, 2012

**Members participating:** Hon. Harry E. Hull, Jr., (chair), Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Hon. David De Alba, Hon. Emilie H. Elias, Hon. Teri L. Jackson, and Hon. Ira R. Kaufman.

**Members not participating:** Mr. Alan Carlson and Ms. Miriam Krinsky.

**RUPRO staff participating:** Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

**AOC staff participating:** Mr. Courtney Tucker.

*Proposals to recommend for Judicial Council action*

**Item 1           Traffic: 2012 Uniform Bail and Penalty Schedule**

**Action:** The Rules and Projects Committee recommended approval by circulating order, to be effective July 13, 2012.

*Approved by the committee on September 10, 2012*

**Minutes**  
**Rules and Projects Committee**  
Proposal Circulated by Email on Thursday, July 12, 2012  
and approved on Monday, July 16, 2012

**Members participating:** Hon. Harry E. Hull, Jr., (chair), Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Mr. Alan Carlson, Hon. David De Alba, Hon. Emilie H. Elias, Hon. Teri L. Jackson, Hon. Ira R. Kaufman, and Ms. Miriam Krinsky.

**RUPRO staff participating:** Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

**AOC staff participating:** Ms. Heather Anderson.

*Proposals to recommend for Judicial Council action*

**Item 1**            **Appellate Procedure: References to Amount of Fee for Filing Notice of Appeal** (amend Cal. Rules of Court, rule 8.100 and revise form APP-001)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's July 27, 2012, consent agenda, with an effective date of July 27, 2012.

*Approved by the committee on September 10, 2012*

**Minutes**  
**Rules and Projects Committee**  
Proposal Circulated by Email on Monday, July 23, 2012  
and approved on Tuesday, July 14, 2012

**Members participating:** Hon. Harry E. Hull, Jr., (chair), Hon. Erica Yew (vice-chair), Hon. David De Alba, Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Mr. Alan Carlson, Hon. Emilie H. Elias, Hon. Teri L. Jackson, and Hon. Ira R. Kaufman.

**Members not participating:** Ms. Miriam Krinsky.

**RUPRO staff participating:** Ms. Deborah Brown, Ms. Susan McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

**AOC staff participating:** Mr. Courtney Tucker.

*Proposals to recommend for Judicial Council action*

**Item 1**            **Traffic: 2012 Uniform Bail and Penalty Schedule** (revise page x of the preface)

**Action:** The Rules and Projects Committee recommended approval of this proposal and placement on the Judicial Council's July 27, 2012, consent agenda, with an effective date of July 27, 2012.

*Approved by the committee on September 10, 2012*

# Minutes

## Rules and Projects Committee Meeting

Friday, July 27, 2012

12:40 - 1:00 p.m.

**RUPRO members present:** Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Mr. Alan Carlson, Hon. David De Alba, Hon. Emilie H. Elias, Hon. Teri Jackson, and Hon. Ira R. Kaufman.

**RUPRO members absent:** Hon. Harry E. Hull, Jr. (chair) and Ms. Miriam Krinsky.

**RUPRO staff present:** Ms. Deborah Brown, Ms. Susan R. McMullan, and Ms. Camilla Kieliger.

**AOC staff present:** Ms. Robin Seeley

### *Proposals to recommend for Judicial Council action*

**Item 1**            **Publication of Instructions With Minor Revisions, Effective August 31, 2012**

**Action:** The Rules and Projects Committee approved the minor revisions for publication effective August 31, 2012.

**Item 2**            **Criminal Jury Instructions: Approve Publication of Revisions and Additions** (instructions 101, 124, 318, 335, 336, 350, 510, 571, 840, 1151, 1400, 1401, 2040, 2624, 2843, 2953, 3404, 3426, 3470, 3517, 3518, 3519, 3590)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's August 31, 2012, consent agenda, with an effective date of August 31, 2012.

*Approved by the committee on September 10, 2012*

Minutes  
Rules and Projects Committee Meeting  
Thursday, September 6, 2012  
4:00 - 5:15 p.m.

*Proposals to recommend for Judicial Council action*

**RUPRO members present:** Hon. Harry E. Hull, Jr. (chair), Mr. Alan Carlson, Hon. David De Alba, Hon. Emilie H. Elias, Hon. Teri Jackson, and Hon. Ira R. Kaufman.

**RUPRO members absent:** Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, and Ms. Miriam Krinsky.

**RUPRO staff present:** Ms. Deborah Brown, Ms. Susan R. McMullan, and Mr. Patrick O'Donnell.

**AOC staff present:** Ms. Heather Anderson, Mr. Arturo Castro, Mr. Douglas C. Miller, Ms. Anne Ronan, and Mr. Alan Wiener.

**Others present:** Hon. Mitchell L. Beckloff, Hon. Dennis M. Perluss, and Hon. Steven Z. Perren.

**Criminal**

**Item 1**      **Criminal Justice Realignment: Felony Waiver and Plea Form** (revise form CR-101)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 2**      **Criminal Procedure: Transcripts of Notification of Appeal Rights** (amend Cal. Rules of Court, rule 4.305 and repeal rule 4.470)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Probate**

**Item 3**      **Probate Guardianships: Communications between California courts on guardianship venue issues** (adopt rule 7.1014)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 4**      **Probate Guardianships: Testimony of (Proposed) Wards and Other Children in Guardianship Cases** (adopt Cal. Rules of Court, rule 7.1016)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013, with the following modifications:

*Rule 7.1016(b)(4):*

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*September 6, 2012, minutes*

Change to read: "This rule, rather than rule 5.250, on children's participation and testimony in family court proceedings applies in probate guardianship proceedings."

**Item 5**      **Probate: Notice to Creditors in Decedents' Estates** (revise forms DE-121 and DE-157)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 6**      **Guidelines for financial eligibility for appointed counsel in guardianships and conservatorships**

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

### **Civil and Small Claims**

**Item 7**      **Alternative Dispute Resolution: Judicial Arbitration** (amend Cal. Rules of Court, rules 3.819 and 3.827)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 8**      **Item withdrawn**

**Item 9**      **Small Claims: Forms to Address Default in Payment of Judgment in Installments** (approve forms SC-223, SC-224, SC-225 and SC-225A)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of July 1, 2013.

**Item 10**     **Civil Practice and Procedure: Notice of Conditional Settlement** (amend Cal. Rules of Court, rule 3.1385)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of July 1, 2013.

**Item 11**     **Civil Trials: Voir Dire Rules** (amend rules 2.1034 and 3.1540)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 12**     **Civil Discovery: New Form Interrogatories - Construction Litigation** (approve form DISC-005)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

*Approved by the committee on 9/17/12*



Minutes  
Rules and Projects Committee Meeting  
Monday, September 10, 2012  
4:00 - 4:45 p.m.

*Proposals to recommend for Judicial Council action*

**RUPRO members present:** Hon. Harry E. Hull, Jr. (chair), Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Mr. Alan Carlson, Hon. David De Alba, Hon. Emilie H. Elias, Hon. Teri Jackson, and Hon. Ira R. Kaufman.

**RUPRO members absent:** Hon. Judith Ashmann-Gerst and Ms. Miriam Krinsky.

**RUPRO staff present:** Ms. Deborah Brown, Ms. Susan R. McMullan, Mr. Patrick O'Donnell, and Ms. Camilla Kieliger.

**AOC staff present:** Ms. Tamara Abrams, Ms. Mara Bernstein, Ms. Audrey Fancy, and Ms. Gabrielle Selden.

**Others present:** Hon. Kimberly J. Nystrom-Geist, Hon. Dean Stout.

**Domestic Violence & Protective Orders**

**Item 1**      **Protective Orders: Notice of New Hearing and Order on Reissuance** (revise forms DV-115-INFO and DV-116)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 2**      **Protective Orders: Revise *Emergency Protective Order* Form** (revise form EPO-001)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013. The committee further recommended that chair Hon. Harry E. Hull, Jr., highlight this proposal in his report to the Judicial Council at the October 26, 2012, meeting.

**Family and Juvenile**

**Item 3**      **Family Law: Correcting Substantive Issues in Forms for Dissolution of Domestic Partnership or Marriage** (revise forms FL-103 and FL-123)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 4**      **Juvenile Law: Interstate Compact on the Placement of Children** (amend Cal. Rules of Court, rule 5.616, revise forms JV-565 and JV-567)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013,

with the following modifications:

*Form FL-567:*

Item 9.c: Add instruction to include the date of birth for any sibling(s).

**Item 5** Item deferred to September 12, 2012, meeting

**Item 6** **Family Law: Proof of Service by Posting or Publication** (adopt Cal. Rules of Court, rule 5.72; approve forms FL-980, FL-982 and FL-985)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

### **Other Business**

**Item 7** **Minutes** (April 11, May 3, June 21, June 25, July 9, July 16, July 24, and July 27, 2012, minutes)

**Action:** The Rules and Projects Committee approved the minutes.

**Item 8** **Cost Savings and Efficiencies**

**Action:** The Rules and Projects Committee approved the items received from advisory committees to be included on the advisory committees' annual agendas to work on for the 2013 committee year. RUPRO also approved referring the suggestions from court executives to the appropriate subject matter advisory committees to consider. RUPRO agreed that advisory committees that decline to pursue a suggestion submitted by a court executive would be asked, during the annual agenda review process, to explain the reason for not pursuing it.

*Approved by the committee on 9/17/12*

**Minutes**  
**Rules and Projects Committee Teleconference**  
**September 12, 2012**  
**4:00 - 5:15 p.m.**

**RUPRO members present:** Hon. Harry E. Hull, Jr. (chair), Hon. Erica Yew (vice-chair), Hon. Sue Alexander, Hon. Judith Ashmann-Gerst, Mr. Alan Carlson, Hon. David De Alba, and Hon. Teri Jackson.

**RUPRO members absent:** Hon. Emilie H. Elias, Hon. Ira R. Kaufman, and Ms. Miriam Krinsky.

**RUPRO staff present:** Ms. Deborah Brown, Ms. Susan R. McMullan, Mr. Patrick O'Donnell, Ms. Camilla Kieliger

**AOC staff present:** Ms. Heather Anderson, Mr. Arturo Castro, Ms. Charlene Depner, Ms. Audrey Fancy, Mr. Michael Giden, Mr. Bob Lowney, Mr. Corby Sturges

**Others present:** Hon. Kathryn Doi Todd, Hon. Dean Stout, and Hon. Cindee F. Mayfield

***Proposals to recommend for Judicial Council action***

**Appellate**

**Item 1      Appellate Procedure: Appointment of Appellate Counsel in Juvenile Delinquency Appeals** (amend Cal. Rules of Court, rule 8.403)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 2      Appellate Procedure: Premature or Late Notice of Intent to File a Writ Petition in a Juvenile Dependency Proceeding** (amend Cal. Rules of Court, rule 8.450)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 3      Appellate Procedure: Contents of the Normal Record in Criminal Appeals** (amend Cal. Rules of Court, rules 8.320, 8.867 and 8.920)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 4      Appellate Procedure: Transmission of Administrative Records on Appeal** (amend Cal. Rules of Court, rule 8.123)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 5      Appellate Procedure: Costs on appeal** (amend Cal. Rules of Court, rule 8.278)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 6      Appellate Procedure: References to Amount of Fee for Filing Notice of Appeal**  
(amend Cal. Rules of Court, rule 8.821)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

### **Appellate and Court Technology**

**Item 7      Court Records: Creation, Maintenance, and Preservation of Court of Appeal Records** (amend Cal. Rules of Court, rule 10.1028)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 8      Appellate Procedure: Copies of Briefs in Civil Appeals in the Court of Appeal Served on the Supreme Court** (amend California Rules of Court, rules 8.44 and 8.212)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

**Item 9      Trial and Appellate Court Procedure: Contact Information for Parties and Attorneys** (amend Cal. Rules of Court, rules 2.200, 8.32, 8.40, 8.204, 8.816, 8.883, and 8.928; and revise forms APP-101-INFO, CR-131-INFO, CR-141-INFO, and MC-040)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

### **Education**

**Item 10      Rules and Forms: Technical Change to Title of Rule 10.301** (amend Cal. Rules of Court, rule 10.301)

**Action:** The Rules and Projects Committee recommended approval on the Judicial Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013.

### **Family and Juvenile**

**Item 11      Juvenile Law: Dependency Counsel Collection Program Guidelines and Forms** (adopt Dependency Counsel Collections Program Manual; approve forms JV-131, JV-131-INFO, JV-132, JV-133, JV-134, JV-135, JV-136)

**Action:** The Rules and Projects Committee recommended approval on the Judicial

Council's October 26, 2012, consent agenda, for an effective date of January 1, 2013. The committee further recommended that chair Hon. Harry E. Hull, Jr., highlight this proposal in his report to the Judicial Council at the October 26, 2012, meeting.

*Proposals to approve for circulation for comment*

**Criminal**

- Item 12**     **Criminal Justice Realignment: Procedure to Revoke Postrelease Community Supervision** (amend Cal. Rules of Court, rule 4.541; and repeal rule 4.540 and form CR-300)

**Action:** The Rules and Projects Committee approved the proposal to circulate for comment on a special two-week cycle so that the proposal may be considered by the Judicial Council at the October 26, 2012, meeting.

- Item 13**     **Criminal Justice Realignment: Intercounty Transfer Procedures** (mend Cal. Rules of Court, rule 4.530 and revise forms CR-250, CR-251, and CR-252)

**Action:** The Rules and Projects Committee approved the proposal to circulate for comment on a special two-week cycle so that the proposal may be considered by the Judicial Council at the October 26, 2012, meeting.

**Trial Court Security**

- Item 14**     **Trial Court Security: Petitions under Government Code section 69926** (adopt Cal. Rules of Court, rule 10.174)

**Action:** The Rules and Projects Committee approved the proposal to circulate for comment on a special two-week cycle so that the proposal may be considered by the Judicial Council at the October 26, 2012, meeting.

**Other Business**

- Item 15**     **Revise the Annual Agendas of the Civil and Small Claims, Family and Juvenile Law, and Traffic Advisory Committees**

**Action:** The Rules and Projects Committee approved additions to the annual agendas of the Civil and Small Claims Advisory Committee, the Family and Juvenile Law Advisory Committee, and the Traffic Law Advisory Committee to address recent urgent matters that will achieve cost savings for the courts, improve efficiencies, and provide enhanced access to the public.

