

New Law Workshop



PRESENTED BY:

CCA Legislation Committee

December 3, 2021



2021 New Law Workshop

Welcome!

Originally formed in 1952, the mission of the California Court Association (CCA) is to provide a forum for education and best practices in the development of court professionals. CCA has numerous committees working to continue the vision that began 68 years ago. One of those committees is the Legislation Committee. The committee is comprised of a court executive officer, directors, managers, supervisors, attorneys, and analysts from Butte, Kern, Los Angeles, Marin, Placer, Riverside, Sacramento, San Bernardino, San Diego, San Mateo and Solano, as well as a representative from the Judicial Council. The Legislation Committee independently identifies legislation that may impact trial courts. The committee then analyzes the bills, looking for implementation issues, fiscal issues, and areas of confusion. Issues and challenges are brought to the Judicial Council's Office of Governmental Affairs.

As the COVID-19 pandemic continued into its second year, the California Legislature returned to Sacramento for the 21/22 Legislative Session with a lengthy to-do list. The legislature introduced 2,776 bills at the start of session in January. Of those, 1,104 bills were sent to the Governor for signature (compared to 512 in 2020), 66 were vetoed and **1,038** were signed into law (compared to 457 in 2020).

CCA's New Law Workshop is designed to help court professionals navigate the legislative changes by focusing on those bills that have an impact on trial courts. Over 200 bills are covered in this report. During this year's virtual New Law Workshop, the Legislation Committee members will summarize bills impacting administration, civil, criminal-traffic, family, juvenile, and probate. The workshop goals are to: (1) share the knowledge of the Legislation Committee, (2) promote uniform implementation practices and procedures in the trial courts, (3) resolve issues of mutual concern, and (4) promote cooperation. At the end of the workshop, participants should have a thorough knowledge of the laws impacting their courts.

Jodi Leveque and Robert Oftring
Co-Chairs, CCA Legislation Committee



TABLE OF CONTENTS

Background & Introduction	PAGE
New Law Workshop Agenda.....	4
Legislation Committee Roster	5
Bill List by Area	7
How to use the Materials.....	15
Bill Summaries & Impact Statements	PAGE
Administration	16
Civil Procedure	32
Criminal Procedure.....	76
Family.....	123
Juvenile Dependency.....	139
Juvenile Delinquency.....	151
Probate	158
How a Bill Becomes a Law (Graphic).....	170
Alpha-Numeric Bill List.....	171



NEW LAW WORKSHOP AGENDA

8:30-12:00	Welcome
.....	Probate Bills
.....	Family Law Bills
.....	Juvenile Bills
.....	Civil Bills
12:00-1:00	Lunch Break
1:00-4:00	Administration Bills
.....	Criminal Bills

The California Court Association’s Legislation Committee thanks you for your participation and attendance at this Virtual New Law Workshop!



Legislation Committee Roster

	TEAM	SPECIALTY AREAS
Co-Chairs		
Jodi Leveque Chief Operations Officer ♦ Marin Superior Court 3501 Civil Center Dr. ♦ San Rafael, CA 94903 Jodi.Leveque@marin.courts.ca.gov	Criminal-Traffic	Criminal, Traffic, DUI
Robert Oftring Media and Legislative Affairs Administrator ♦ Superior Court of Los Angeles County 111 N. Hill Street ♦ Los Angeles, CA 90012 ROftring@lacourt.org	Administration	Administration
Members		
Adriana Anzalone Court Operations Manager ♦ San Diego Superior Court 330 West Broadway ♦ San Diego, CA 92101 adriana.anzalone@sdcourt.ca.gov	Civil-Small Claims	Civil, Small Claims, Criminal
Robyn Bullington Principal Staff Attorney ♦ Sacramento Superior Court 720 9 th Street ♦ Sacramento, CA 95814 bullinr@saccourt.ca.gov	Civil-Small Claims	Civil
Shelley Coffey Operations Manager ♦ Kern Superior Court 1414 Truxtun Ave. ♦ Bakersfield, CA 93301 Shelley.Coffey@kern.courts.ca.gov	Juvenile	Juvenile, Criminal, Appeals
Erin Duncan District Manager ♦ San Bernardino Superior Court 8303 Haven Ave. ♦ Rancho Cucamonga, CA 91730 eduncan@sb-court.org	Criminal-Traffic	Criminal, Traffic, Administration, Court Reporters
Sharif Elmallah Court Executive Officer ♦ Butte Superior Court One Court Street ♦ Oroville, CA 95965 selmallah@buttecourt.ca.gov	Administration	Administration, Juvenile

Legislation Committee Roster

	TEAM	SPECIALTY AREAS
Members (continued)		
<p>Sheri Gulino Probate Director ♦ Riverside Superior Court 4050 Main Street ♦ Riverside, CA 92501 sheri.gulino@riverside.courts.ca.gov</p>	Probate	Probate, Administration
<p>Sarah Lind Deputy Court Exec Officer ♦ San Mateo Superior Court 400 County Center ♦ San Mateo, CA 94063 slind@sanmateocourt.org</p>	Criminal-Traffic	Criminal
<p>Sara MacCaughey Operations Manager ♦ Solano Superior Court 600 Union Avenue ♦ Fairfield, CA 94533 SJMacCaughey@solano.courts.ca.gov</p>	Family	Family, Juvenile, Probate
<p>Amy Malone Civil Operations Manager ♦ Sacramento Superior Court 720 9th Street ♦ Sacramento, CA 95814 malonea@saccourt.ca.gov</p>	Civil-Small Claims	Civil, Small Claims, Criminal
<p>Jamie Newbold Supervising Research Attorney ♦ Marin Superior Court 3501 Civil Center Dr. ♦ San Rafael, CA 94903 Jamie.Newbold@marin.courts.ca.gov</p>	Civil-Small Claims	Civil
<p>Suzanne Schleder Information Systems Supervisor ♦ Judicial Council 2850 Gateway Oaks Dr. ♦ Sacramento, CA 95833 Suzanne.Schleder@jud.ca.gov</p>	Criminal-Traffic	Criminal
<p>Holly Dodge Operations Manager ♦ Placer Superior Court 10820 Justice Center Dr. ♦ Roseville, CA 95678 hstadel@placer.courts.ca.gov</p>	Administration	Administration
<p>Kelly Sullivan Chief Deputy Director ♦ Sacramento Superior Court 720 Ninth Street ♦ Sacramento, CA 95814 SullivK@saccourt.ca.gov</p>	Criminal-Traffic	Criminal





Bill List by Subject Area

ADMINISTRATION OF TRIAL COURTS			
Bill#	Title	Chaptered	Page
AB 128 & SB 129	Budget Act of 2021.	Ch. 21 & Ch. 69	16
AB 143	Courts.	Ch. 79	18
AB 163	State government.	Ch. 251	29
AB 177	Public safety.	Ch. 257	19
AB 237	Public employment: unfair practices: health protection.	Ch. 740	20
AB 414	Local government: county regional justice administration.	Ch. 117	29
AB 654	COVID-19: exposure: notification.	Ch. 522	21
AB 716	Court access.	Ch. 526	21
AB 855	Judicial holidays.	Ch. 293	22
AB 1104	Air ambulance services.	Ch. 476	22
AB 1293	Judges' Retirement System II: federal law limits: adjustments.	Ch. 304	30
AB 1452	Pilot program: increased fee for low-income jurors: criminal trials.	Ch. 717	30
SB 95	Employment: COVID-19: supplemental paid sick leave.	Ch. 13	23
SB 170	Budget Act of 2021.	Ch. 240	24
SB 241	Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.	Ch. 214	25
SB 270	Public employment: labor relations: employee information.	Ch. 330	28
SB 331	Settlement and nondisparagement agreements.	Ch. 638	30
SB 606	Workplace safety: violations of statutes: enterprise-wide violations: egregious violations.	Ch. 336	31
SB 657	Employment: electronic documents.	Ch. 109	28

CIVIL			
Bill#	Title	Chapter	Page
AB 725*	General plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions.	Ch. 193, Stats 20	53
SB 908*	Debt collectors: licensing and regulation: Debt Collection Licensing Act.	Ch. 163, Stats. 20	53
SB 1044*	Firefighting equipment and foam: PFAS chemicals.	Ch. 308, Stats. 20	54
AB 68	Department of Housing and Community Development: California Statewide Housing Plan: annual reports.	Ch. 341	54
AB 81	COVID-19 relief.	Ch. 5	32
AB 140	Housing.	Ch. 111	55
AB 141	Budget Act of 2021: Department of Cannabis Control: licensure: safety and quality assurance.	Ch. 70	56
AB 148	Public resources.	Ch. 115	33
AB 218	Change of gender and sex identifier.	Ch. 577	35
AB 287	Civil actions: statute of limitations.	Ch. 264	56
AB 424	Private Student Loan Collections Reform Act: collection actions.	Ch. 559	36
AB 430	Debt collection: identity theft.	Ch. 265	57
AB 473	California Public Records Act.	Ch. 614	36
AB 511	Securities transactions: qualification requirements, exemptions, and liability.	Ch. 617	57
AB 514	Injunctions: undertakings: civil actions: distribution of sexually explicit materials.	Ch. 518	58
AB 634	Density Bonus Law: affordability restrictions.	Ch. 348	58
AB 651	Endowment care cemeteries: examination, investigation, and discipline.	Ch. 442	59
AB 721	Covenants and restrictions: affordable housing.	Ch. 349	59
AB 819	California Environmental Quality Act: notices and documents: electronic filing and posting.	Ch. 97	59
AB 832	COVID-19 relief: tenancy: federal rental assistance.	Ch. 27	37
AB 861	Mobilehome parks: rental restrictions: management.	Ch. 706	60
AB 930	Subsurface installations: attorney's fees and costs.	Ch. 173	60
AB 978	Mobilehome parks: rent caps.	Ch. 125	60
AB 1020	Health care debt and fair billing.	Ch. 473	61
AB 1033	California Family Rights Act: parent-in-law: small employer family leave mediation: pilot program.	Ch. 327	62
AB 1138	Unlawful cannabis activity: civil enforcement.	Ch. 530	75
AB 1143	Civil procedure: restraining orders.	Ch. 156	42
AB 1405	Debt settlement practices.	Ch. 454	75
AB 1455	Sexual assault by law enforcement officers: actions against public entities: statute of limitations.	Ch. 595	62
AB 1511	Insurance: omnibus.	Ch. 627	63
AB 1578	Judiciary omnibus.	Ch. 401	43
AB 1580	Enforcement of money judgments: examination.	Ch. 30	64
AB 1584	Housing omnibus.	Ch. 360	64
SB 2	Peace officers: certification: civil rights.	Ch. 409	66

CIVIL			
Bill#	Title	Chapter	Page
SB 7	Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021 CEQA	Ch. 19	44
SB 8	Housing Crisis Act of 2019.	Ch. 161	66
SB 9	Housing development: approvals.	Ch. 162	66
SB 44	California Environmental Quality Act: streamlined judicial review: environmental leadership transit project administration.	Ch. 633	67
SB 62	Employment: garment manufacturing.	Ch. 329	67
SB 91	COVID-19 relief: tenancy: federal rental assistance.	Ch. 2	45
SB 155	Public resources trailer bill.	Ch. 258	68
SB 241	Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.	Ch. 214	49
SB 290	Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints.	Ch. 340	68
SB 323	Local government: water or sewer service: legal actions.	Ch. 216	69
SB 331	Settlement and nondisparagement agreements.	Ch. 638	52
SB 332	Civil liability: prescribed burning operations: gross negligence.	Ch. 600	69
SB 338	Joint and several liability of port drayage motor carrier customers: health and safety violations: prior offenders: liability owed to the state.	Ch. 333	69
SB 380	End of life.	Ch. 542	70
SB 447	Civil actions: decedent's cause of action.	Ch. 448	70
SB 461	Unfair Competition Law: enforcement.	Ch. 140	75
SB 501	Claims against public entities.	Ch. 218	71
SB 503	Voting: ballots and signature verification.	Ch. 319	71
SB 531	Consumer debt.	Ch. 455	71
SB 727	Labor-related liabilities: direct contractor.	Ch. 338	72
SB 762	Contracts.	Ch. 222	72
SB 807	Enforcement of civil rights: Department of Fair Employment and Housing.	Ch. 278	73

CRIMINAL PROCEDURE

Bill#	Title	Chapter	Page
AB 397*	Vehicles: driving under the influence.	Ch. 610, Stats. 19	76
AB 1076*	Criminal records: automatic relief.	Ch. 578, Stats. 19	77
AB 2847*	Firearms: unsafe handguns.	Ch. 292 Stats. 20	106
AB 3070*	Juries: peremptory challenges.	Ch. 318, Stats. 20	78
SB 312*	Cosmetic Fragrance and Flavor Ingredient Right to Know Act of 2020.	Ch. 315, Stats. 20	115
AB 3	Exhibition of speed on a highway.	Ch. 611	115
AB 26	Peace officers: use of force.	Ch. 403	106
AB 43	Traffic safety.	Ch. 690	106
AB 124	Criminal procedure.	Ch. 695	79
AB 127	Arrest warrants: declaration of probable cause.	Ch. 20	81
AB 133	Health.	Ch. 143	82
AB 143	Courts.	Ch. 79	84
AB 145	Public safety.	Ch. 80	85
AB 173	Public Safety.	Ch. 253	107
AB 223	Wildlife: Dudleya: taking and possession.	Ch. 370	116
AB 262	Human trafficking: vacatur relief for victims.	Ch. 193	86
AB 277	Domestic violence: victims: address confidentiality.	Ch. 457	86
AB 292	Corrections: rehabilitative programming.	Ch. 579	107
AB 331	Organized retail theft.	Ch. 113	117
AB 333	Participation in a criminal street gang: enhanced sentence.	Ch. 699	87
AB 341	Credibility of witnesses: sexual conduct: social media content.	Ch. 24	107
AB 419	Victim and witness privacy.	Ch. 91	117
AB 468	Emotional support animals.	Ch. 168	117
AB 490	Law enforcement agency policies: arrests: positional asphyxia.	Ch. 407	108
AB 518	Criminal law: violations punishable in multiple ways.	Ch. 441	88
AB 527	Controlled substances.	Ch. 618	108
AB 535	Olive oil labeling.	Ch. 466	117
AB 591	Vessels: arrests.	Ch. 57	118
AB 624	Juveniles: transfer to court of criminal jurisdiction: appeals.	Ch. 195	88
AB 636	Financial abuse of elder or dependent adults.	Ch. 621	108
AB 638	Mental Health Services Act: early intervention and prevention programs.	Ch. 584	109
AB 700	Criminal procedure: arraignment and trial.	Ch. 196	89
AB 750	Crimes: perjury.	Ch. 267	118
AB 764	Contempt of court: victim intimidation.	Ch. 704	109
AB 898	Criminal records: automatic conviction record relief.	Ch. 202	90
AB 939	Sex offenses: evidence.	Ch. 529	109
AB 974	Equestrian safety.	Ch. 175	119
AB 1003	Grand theft of wages.	Ch. 325	119
AB 1057	Firearms.	Ch. 682	110
AB 1104	Air ambulance services.	Ch. 476	120
AB 1171	Rape of a spouse.	Ch. 626	120

CRIMINAL PROCEDURE

Bill#	Title	Chapter	Page
AB 1228	Supervised persons: release.	Ch. 533	90
AB 1247	Criminal procedure: limitations of actions.	Ch. 206	110
AB 1259	Criminal procedure: motion to vacate.	Ch. 420	91
AB 1281	Criminal procedure: protective orders.	Ch. 209	91
AB 1318	Deferred entry of judgment pilot program.	Ch. 210	110
AB 1347	Bail: premiums.	Ch. 444	91
AB 1356	Reproductive health care services.	Ch. 191	121
AB 1443	Mental health: involuntary treatment.	Ch. 399	111
AB 1475	Law enforcement: social media.	Ch. 126	111
AB 1540	Criminal procedure: resentencing.	Ch. 719	92
SB 16	Peace officers: release of records.	Ch. 402	93
SB 23	Disorderly conduct: distribution of intimate images: statute of limitations.	Ch. 483	112
SB 35	Elections.	Ch. 318	112
SB 60	Short-term rental ordinances: fines.	Ch. 307	121
SB 71	Infractions: community service: education programs.	Ch. 598	93
SB 73	Probation: eligibility: crimes relating to controlled substances.	Ch. 537	94
SB 81	Sentencing: dismissal of enhancements.	Ch. 721	96
SB 248	Sexually violent predators: open court proceedings.	Ch. 383	97
SB 287	Vehicles: trailers.	Ch. 610	112
SB 317	Competence to stand trial.	Ch. 599	97
SB 374	Protective orders: reproductive coercion.	Ch. 135	98
SB 446	Factual innocence.	Ch. 490	113
SB 483	Sentencing: resentencing to remove sentencing enhancements.	Ch. 728	99
SB 507	Mental health services: assisted outpatient treatment.	Ch. 426	100
SB 567	Criminal procedure: sentencing.	Ch. 731	100
SB 578	Lanterman-Petris-Short Act: hearings.	Ch. 389	101
SB 715	Criminal law.	Ch. 250	113
SB 742	Vaccination sites: unlawful activities.	Ch. 737	122
SB 775	Felony murder: resentencing.	Ch. 551	101
SB 823	Public health: omnibus bill.	Ch. 554	114
SB 827	Public Safety Omnibus.	Ch. 434	101

FAMILY			
Bill#	Title	Chapter	Page
AB 2517*	Domestic violence: personal property and liens.	Ch. 245, Stats. 20	123
AB 135	Human services omnibus.	Ch. 85	124
AB 173	Public Safety.	Ch. 253	135
AB 277	Domestic violence: victims: address confidentiality.	Ch. 457	125
AB 429	Child support: access to records.	Ch. 52	125
AB 462	Licensed Professional Clinical Counselor Act.	Ch. 440	135
AB 611	Safe at Home program: homeowners' associations.	Ch. 151	135
AB 627	Recognition of tribal court orders: rights in retirement plans or deferred compensation.	Ch. 58	126
AB 636	Financial abuse of elder or dependent adults.	Ch. 621	136
AB 673	Domestic violence.	Ch. 680	136
AB 689	Comprehensive Statewide Domestic Violence Program.	Ch. 152	136
AB 690	Marriage and family therapists: clinical social workers: professional clinical counselors.	Ch. 747	137
AB 746	Adoption: stepparent adoption.	Ch. 199	126
AB 764	Contempt of court: victim intimidation.	Ch. 704	137
AB 887	Domestic violence: restraining orders.	Ch. 681	127
AB 1057	Firearms.	Ch. 682	137
AB 1143	Civil procedure: restraining orders.	Ch. 156	127
AB 1243	Protective orders: elder and dependent adults.	Ch. 273	128
AB 1579	Family law omnibus.	Ch. 213	138
SB 24	Domestic violence: protective orders: information pertaining to a child.	Ch. 129	128
SB 241	Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.	Ch. 214	129
SB 320	Domestic violence protective orders: possession of a firearm.	Ch. 685	132
SB 374	Protective orders: reproductive coercion.	Ch. 135	133
SB 538	Domestic violence and gun violence restraining orders.	Ch. 686	133
SB 654	Child custody.	Ch. 768	134

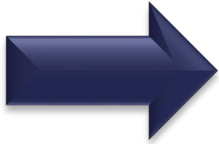
JUVENILE DEPENDENCY			
Bill#	Title	Chapter	Page
AB 136	Developmental services.	Ch. 76	139
AB 153	Public social services.	Ch. 86	140
AB 172	Human services.	Ch. 696	141
AB 260	Guardianships.	Ch. 578	141
AB 366	Foster youth: placement of siblings.	Ch. 581	142
AB 546	Dependent children: documents: housing.	Ch. 519	142
AB 640	Extended foster care: eligibility redetermination.	Ch. 622	143
AB 670	Child abuse or neglect: minor and nonminor dependent parents.	Ch. 585	143
AB 674	Dependent children: documents.	Ch. 524	144
AB 788	Juveniles: reunification.	Ch. 201	144
AB 841	Dependent children.	Ch. 98	144
AB 1578	Judiciary omnibus.	Ch. 401	145
SB 241	Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.	Ch. 214	146
SB 320	Domestic violence protective orders: possession of a firearm.	Ch. 685	149
SB 354	Public social services.	Ch. 687	150

JUVENILE DELINQUENCY			
Bill#	Title	Chapter	Page
AB 145	Public safety.	Ch. 80	151
AB 624	Juveniles: transfer to court of criminal jurisdiction: appeals.	Ch. 195	151
SB 92	Juvenile Justice.	Ch. 18	152
SB 241	Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.	Ch. 214	153
SB 320	Domestic violence protective orders: possession of a firearm	Ch. 685	156
SB 383	Juveniles: informal supervision: deferred entry of judgment.	Ch. 603	157
SB 827	Public Safety Omnibus.	Ch. 434	157

PROBATE

Bill#	Title	Chapter	Page
AB 260	Guardianships	Ch. 149	158
AB 633	Partition of Real Property: Uniform Partition of Heirs Property Act	Ch. 119	159
AB 1079	Trusts: Revocation	Ch. 749	159
AB 1194	Conservatorships	Ch. 417	160
AB 1243	Elder Abuse	Ch. 273	162
AB 1443	Involuntary Treatment (5150 Holds) LPS Conservatorships	Ch. 399	168
SB 241	Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.	Ch. 214	163
SB 315	Revocable Transfer on Death Deeds	Ch. 215	166
SB 447	Civil actions: decedent's cause of action	Ch. 448	168
SB 507	Mental Health Services – Assisted Outpatient Treatment	Ch. 426	166
SB 539	Property Taxation: Taxable Value Transfers	Ch. 427	169
SB 578	LPS Hearings	Ch. 389	167

HOW TO USE THIS BOOKLET



BILLS are organized by area of impact, then in alpha-numeric order.

Administration includes general administration, budget, facilities, and human resources.

Civil includes landlord-tenant, small claims, and general civil.

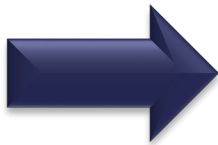
Criminal includes felony, misdemeanor, traffic, trials, bail schedule, and sentencing.

Family includes divorce, nullity, separation, family DV protective orders, and surrogacy.

Juvenile includes delinquency, dependency, truancy, and the social services impacting youth under the jurisdiction of the Juvenile Court.

Probate includes wills and trusts, conservatorship, and guardianship.

Some bills impact multiple areas and thus appear in multiple areas. Within each area, the bills are in alpha-numeric, “bill number order” (Props, AB’s, then SB’s).



BILL SUMMARIES were created to specifically address trial court impact using the chaptered versions of each bill, as compared to previous law, and the floor and/or committee analyses created by the Legislature for each bill.



CAUTION. While the bill summaries are a handy tool that facilitates condensing thousands of pages of new laws into one document, they are not perfect and cannot be cited. Before making any changes to court procedures, processes, forms, case management systems, or rules, court professionals should review the statute directly. You should not cite the New Law Workshop materials. Instead, cite the bill or cite the code that creates the change (e.g. AB #, Chapter# of the Statutes of 2021). Both bills and statutes can be viewed at <http://leginfo.legislature.ca.gov/>.

Administration of Trial Courts	Notes
<p>Budget Act of 2021. AB 128, Ch. 21 & SB 129, Ch. 69</p> <p>Laws: An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, relating to the state budget, to take effect immediately, budget bill.</p> <p>Summary: These bills make up the Budget Act of 2021. Highlights for trial courts include the restoration of \$176.9 million in prior fiscal year budget cuts, and the provision of \$72.2 million in ongoing funding to address inflationary costs, \$118.3 million in FY 21/22 funding to the Trial Court Trust Fund to backfill declining fine and penalty revenues, \$31.2 million in ongoing funding for employee health and retirement benefit cost increases, \$19.1 million in ongoing funding for three fiscal years for existing self-help center costs, \$60 million in FY 21/22 funding that is expendable through FY 22/23 for expenses related to Covid-19 backlog, \$30 million in FY 21/22 funding for early disposition readiness conference programs, \$140 million in FY 21/22 funding and \$70 million in annual funding each fiscal year thereafter through FY 23/24 for pretrial services programs, \$12.3 million in FY 21/22 funding and increased funding to \$58.4 million by FY 24/25 for the Judicial Council to expand use of the MyCitations tool in trial courts and to backfill estimated decline in associated trial court revenue, \$10 million in FY 21/22 funding for dependency counsel services and up to an additional \$30 million in FY 21/22 and ongoing to cover any shortfall in Title IV-E funding for such services, \$50.7 million in funding for facilities maintenance, utility, and lease costs, and \$180 million in FY 21/22 funding for urgent deferred maintenance needs in trial court facilities. These bills also extend the authorization to expend cannabis conviction resentencing funding (AB 1793 - 2018) that courts have received through FY 21/22. Funding provided for specific jurisdictions includes \$330,000 in FY 21/22 funding and \$660,000 in ongoing funding for increased security costs in Shasta due to the opening of the new Redding Courthouse, \$200,000 in FY 21/22 funding for the CASA Program in Los Angeles, and \$18.9 million in FY 21/22 funding and \$48.8 million in FY 22/23 funding for court facility modifications required by the State Fire Marshal in Orange and San Diego. The budget also includes \$115 million in new funding for courthouse construction projects at various stages in Butte, Lake, Los Angeles, Mendocino, Monterey, Nevada, and San Bernardino counties.</p> <p>Court Impact: A full list of changes in the initial budget for the Judicial Branch were summarized in the Judicial Council's 7/13/21 budget memo sent to judicial officers and court executive officers. Courts were provided current year budget allocation information by the Judicial Council in July. Outstanding funding allocations include awards for early disposition programs, Covid-19 backlog funding, and future year pretrial services program funding. The Judicial Council voted on early disposition program funding awards at its November business meeting. The Judicial Council voted at its October business meeting to allocate \$30 million of the Covid-19 backlog funding to courts in</p>	<p style="text-align: center;">URGENCY</p> <p>AB 128 OPERATIVE 06/28/21</p> <p>SB 129 OPERATIVE 07/12/21</p> <p style="text-align: center;">Sharif Elmallah</p>

Administration of Trial Courts	Notes
<p><i>October 2021 and to allocate the remaining \$30 million to courts in January 2022 based on updated filing and disposition data. Information on pretrial services program funding can be found in the Criminal Justice subsection of the Programs & Administration section of the Judicial Resources Network (jrn.courts.ca.gov). Courts should work with local justice partners and Judicial Council Criminal Justice Services to plan for the effective use of that funding and note key deadlines in the information provided by Criminal Justice Services. Courts should also seek to complete cannabis conviction resentencing work in FY 21/22, because unexpended funding for that purpose may need to be returned after that.</i></p>	

Administration of Trial Courts	Notes
<p>Courts. AB 143, Ch. 79</p> <p>Laws: Amend § 6322.1 of the Business and Professions Code. Amend §§ 68085.1, 68085.3, 68085.4, 68085.45, 68502.6, 68701.5, 68703, 68704, 68752, 68754, 68756, 70371, 70371.7, 70372, 70373, 70374, 70377, 70391, 70395, 70396, 70397, 70617, 70657.5, and 70658 of, add § 68701.1 to, add Article 7 (commencing with § 68645) to Chapter 2 of Title 8 of, Article 4 (commencing with § 68770) to Chapter 2.5 of Title 8 of, and Article 7.1 (commencing with § 70398) to Chapter 5.7 of Title 8 of, add and repeal § 29553 of, and repeal §§ 70371.5, 70371.8, and 70391.7 of, the Government Code. Amend § 1463.007 of and add § 1428.5 to the Penal Code. Amend §§ 40611 and 42007.1 of, and repeal Chapter 1.5 (commencing with § 40280) of Article 4 of Division 17 of the Vehicle Code.</p> <p>Summary: This is a budget trailer bill for the Judicial Branch for the Budget Act of 2021. Key changes include transitioning the Branch's Ability to Pay Pilot Program to a statewide program operating in every court by June 2024, authorizing courts to conduct infraction proceedings online and remotely as specified, consolidating the Immediate and Critical Needs Account into the State Court Facilities Construction Fund for the Judicial Branch Facilities Program, authorizing the Judicial Council to use a design-build procurement process for courthouse construction projects, allocating backfill revenue to counties due to the abolition of fees under AB 1869 (2020), creating the Committee to Review the Operations and Structure of the Commission on Judicial Performance, and expanding the Commission on Judicial Performance's charge as specified.</p> <p>Court Impact: <i>Some of this bill's changes were summarized in the Judicial Council's 7/13/21 budget memo sent to judicial officers and court executive officers. Changes related to AB 1869 backfill revenue, different funds and procurement processes for the Judicial Branch Facilities program, and the Commission on Judicial Performance are informational for courts. Information on the expansion of the Ability to Pay tool (MyCitations) and conducting infraction proceedings online or remotely was sent to presiding judges and court executive officers in a 7/30/21 memo from Judicial Council Criminal Justice Services. Courts need to work with Judicial Council Criminal Justice Services and Information Technology on implementing the MyCitations tool locally by the June 2024 deadline and can obtain information about that process from those groups. Conducting infraction proceedings remotely by video has been regulated by California Rules of Court, rule 4.220, but California Rules of Court, emergency rule 3 provides different regulation while it remains in effect. Courts may want to consider those rules when conducting or planning to conduct infraction proceedings remotely.</i></p>	<p style="text-align: center;">URGENCY OPERATIVE 07/16/21</p> <p style="text-align: center;">Sharif Elmallah</p>

Administration of Trial Courts	Notes
<p>Public safety. AB 177, Ch. 257</p> <p>Laws: Add and repeal §§ 367.8 and 367.9 of the Code of Civil Procedure. Amend §§ 68645, 69951, and 77205 of, amend, repeal, and add § 50050 of, add and repeal §§ 68119 and 69950.5 of, and repeal and add § 69950 of, the Government Code. Amend § 1465.9 of, amend and repeal §§ 1001.15, 1001.16, 1203.1c, 1203.1m, and 1214.5 of, amend, repeal, and add §§ 1001.90, 1202.4, 1203.1, 1203.1ab, 1203.4a, 1203.9, 1205, 2085.5, 2085.6, and 2085.7 of, and repeal § 1463.07 of, the Penal Code. Amend and repeal § 40508.5 of, amend, repeal, and add § 40510.5 of, and add Article 3 (commencing with § 42240) to Chapter 2 of Division 18 of, the Vehicle Code.</p> <p>Summary: This is a budget trailer bill for the Judicial Branch for the Budget Act of 2021. This bill extends through 1/31/22 the Judicial Council and Chief Justice's emergency authority to adopt rules and make orders that override existing rules and laws to respond to emergency conditions caused by Covid-19, which was authority originally granted under Executive Order N-38-20 in March 2020. This bill requires the Judicial Council to convene a working group that will submit a report to the Legislature and Governor by 1/1/23 recommending a statewide framework for remote civil court proceedings, and to submit a separate report to the Legislature and Governor by 1/1/23 on the use of remote technology in civil actions by trial courts. This bill increases court reporter transcript fees to \$1.13 for each 100 words of transcription for original ribbon or printed copy and \$0.20 for each copy purchased at the same time, requires the Judicial Council to report to the Legislature by 1/1/24 recommendations to increase uniformity in transcription rate expenditures, and authorizes a court reporter to charge an additional 50% for special daily service for transcription in any case type instead of just in civil cases. This bill clarifies that the MyCitations tool for online ability to pay determinations may be accessed by a designee of a defendant or a defendant's attorney. This bill eliminates 18 criminal fees, and upon elimination, requires courts to vacate any portion of a judgment imposing those fees and makes those fees uncollectible and unenforceable. Effective 9/23/21, Penal Code § 1463.07 was repealed, and effective 1/1/22, courts can no longer collect fees pursuant to Penal Code §§ 1001.15, 1001.16, 1001.90(g)-(h), 1202.4(l), 1203.1(l), 1203.1ab, 1203.1c, 1203.1m, 1203.4a(e), 1203.9, 1205(e), 1214.5, 2085.5(e)-(f) (i), 2085.6(d), 2085.7(d), and Vehicle Code §§ 40508.5 and 40510.5(g). The bill also provides revenue backfill to counties beginning in FY 21/22 because of the elimination of those fees.</p>	<p style="text-align: center;">URGENCY OPERATIVE 09/23/21</p> <p style="text-align: center;">Sharif Elmallah</p>

Administration of Trial Courts	Notes
<p><u>Court Impact:</u> <i>Some of this bill's changes were summarized in the Judicial Council's 7/13/21 budget memo sent to judicial officers and court executive officers. Information on the elimination of criminal fees by this bill was provided in the Judicial Council's 10/26/21 "Recently Enacted Criminal Justice Legislation" memo sent to presiding judges and court executive officers. Operations and fiscal staff and staff responsible for configuring case management systems need to work together to ensure eliminated fees are no longer imposable and collected by the elimination date, which may require reversing payments already issued. Courts already using or planning to implement the MyCitations tool need to ensure it can be accessed by authorized individuals. Court fiscal staff should ensure transcripts are being paid for at the new rates effective 9/23/21. Changes related to the extension of emergency authority, county revenue backfill, and mandated Judicial Council reports are informational for courts. However, pursuant to CCP § 367.8, courts may need to provide data to the Judicial Council for the report on the use of remote technology in civil actions and thus may want to begin tracking that data if not already doing so.</i></p>	
<p>Public employment: unfair practices: health protection. AB 237, Ch. 740</p> <p><u>Laws:</u> Add Chapter 9.4 (commencing with § 3140) to Division 4 of Title 1 of the Government Code.</p> <p><u>Summary:</u> This bill makes it an unfair labor practice under PERB's jurisdiction for a public employer to "fail or refuse to maintain and pay for" any medical coverage enrolled in by an employee and their dependents during an employee's participation in an authorized strike. It also requires employers to reimburse employees for any expenses they incur as a result of the employer committing this unfair labor practice.</p> <p><u>Court Impact:</u> <i>This bill is informational for court executives, human resources department heads, and fiscal department heads. If planning for a strike, courts will need to ensure that they implement measures to continue medical coverage for employees and their dependents when employees are striking and in an unpaid status. Courts that have existing strike plans may want to update them with this information.</i></p>	<p style="text-align: center;">Sharif Elmallah</p>

Administration of Trial Courts	Notes
<p>COVID-19: exposure: notification. AB 654, Ch. 522</p> <p><i>Laws:</i> Amend and repeal (in 2023) §§ 6325 and 6409.6 of the Labor Code.</p> <p><i>Summary:</i> This bill requires that employers notify an exclusive representative for employees who had close contact with a qualifying individual in addition to the qualifying individual, and specifies that employers must provide employees who were on the premises at the same worksite as a qualifying individual during their infectious period with information regarding COVID-19-related benefits that they may be entitled to. Requires employers notify employees and employers of subcontractors who were on the premises at the same worksite as a qualifying individual during their infectious period of the cleaning and disinfection plan the employer is implementing. Clarifies the period of time employers have to report an outbreak to 48 hours or one business day, whichever is later. Defines "close contact" and "high risk exposure period," and adds to the definition of "worksite."</p> <p><i>Court Impact:</i> Courts should review their Covid-19 notification policies and procedures and update them as needed.</p>	<p style="text-align: center;">URGENCY OPERATIVE 10/05/21</p> <p style="text-align: center;">Holly Dodge</p>
<p>Court access. AB 716, Ch. 526</p> <p><i>Laws:</i> Amends § 124 of Code of, and repeals & renames heading of Article 1, Chapter 6, Title 1, Part 1 of, the Code of Civil Procedure.</p> <p><i>Summary:</i> This bill prohibits courts from excluding public access to the court because remote access is available unless it is necessary to protect the health and safety of the public and/or court personnel. Courts are required to provide remote access for the public to listen to court proceedings in the event that the courthouse is physically closed unless proceedings are not public as provided by law. Defines remote access as including an audio stream available on the internet or telephonic means to listen to a court proceeding.</p> <p><i>Court Impact:</i> This bill can have a large impact for courts that have prohibited the public from coming into the courthouse without providing a remote option to observe hearings, as they will now have to choose and implement a remote access option. The COVID-19 pandemic continues to provide justification for limiting in person appearances, however, absent an effort to protect the health and safety of the public and court employees, courts cannot prohibit the public from coming to court to observe hearings and may need to adjust their policies.</p>	<p style="text-align: center;">Holly Dodge</p>

Administration of Trial Courts	Notes
<p>Judicial holidays. AB 855, Ch. 293</p> <p><u>Laws:</u> Amend § 135 of the Code of Civil Procedure.</p> <p><u>Summary:</u> This bill adds Native American Day (fourth Friday in September) to the list of judicial holidays and removes Columbus Day (second Monday in October).</p> <p><u>Court Impact:</u> <i>This bill will impact courts that do not have language in their MOU referencing Government Code Section 6700 and Code of Civil Procedure Section 135 for paid holidays. Such courts will need to meet with their union(s) to address the changes and ensure that employees receive holiday pay for the appropriate date.</i></p>	<p>Holly Dodge</p>
<p>Air ambulance services. AB 1104, Ch. 476</p> <p><u>Laws:</u> Amends § 76000.10 of the Government Code. Adds § 14124.15 to the Welfare and Institutions Code.</p> <p><u>Summary:</u> This bill extended the imposition of the \$4 Emergency Medical Air Transportation and Children's Coverage Fund (EMAT) penalty for a violation of the Vehicle Code or local ordinance adopted pursuant to the vehicle Code, other than a parking offense, for one year, to December 31, 2022. The penalties assessed shall continue to be collected, administered, and distributed until exhausted or until December 31, 2023, whichever occurs first. The Legislature intends to finance air ambulance services through alternative means upon the sunset date of this extension, however, there are several qualifiers in the bill that may result in another extension.</p> <p><u>Court Impact:</u> <i>The previous sunset date of the EMAT penalty assessment was July 1, 2021. The enactment of this bill on October 04, 2021 resulted in a gap of 95 days, during which time there was no authority for courts to charge the EMAT fee. Courts should reverse the \$4 EMAT fee on cases with fines assessed during this gap period. If the fee has not been paid, an adjustment in the CMS will be the extent of the effort required; however, if the fee has been paid, courts should determine the appropriate process to manage the overpayment, ideally by refunding the payor. Courts should also track the upcoming sunset date, either in the CMS, if available, so the fee automatically terminates unless it is extended, or manually, so follow up occurs timely.</i></p>	<p style="text-align: center;">URGENCY OPERATIVE 10/04/21</p> <p>Holly Dodge</p>

Administration of Trial Courts	Notes
<p>Employment: COVID-19: supplemental paid sick leave. SB 95, Ch. 13</p> <p>Laws: Add §§ 248.2 and 248.3 to the Labor Code.</p> <p>Summary: This bill established supplemental COVID-19 sick leave (SPSL) for covered employees at workplaces that employ more than 25 employees. Defines a covered employee as an employee who is unable to work or telework because they have been advised by a health care provider to self-quarantine due to concerns of COVID-19, are attending an appointment to receive a vaccine or are experiencing symptoms from a vaccine that prevent them from working, experiencing symptoms of COVID-19 and seeking a medical diagnosis, or caring for a family member who has been advised to self-quarantine. Covered employees are entitled to 80 hours of COVID-19 sick leave if they are considered full time or have worked or were scheduled to work 40 hours per week on average in the two weeks preceding the date sick leave was taken. Part-time employees are entitled to a pro-rated number of hours based on their schedule. The bill establishes pay rates based on exempt and non-exempt status and employers shall not be required to pay more than \$511 per day and \$5,110 in the aggregate. Employers may not require employees to exhaust other forms of leave before using supplemental COVID-19 sick leave, but employers may require a covered employee to exhaust the COVID-19 leave in order to maintain an employee’s earnings while excluded from the workplace. The requirement to provide SPSL as specified only applied through 9/30/21.</p> <p>Court Impact: <i>Since this was an urgency bill passed in March of 2021, courts should have already received information regarding this new type of leave and implemented policies to provide it. The requirement to provide SPSL expired on 9/30/21.</i></p>	<p style="text-align: center;">URGENCY OPERATIVE 03/19/21</p> <p style="text-align: center;">Holly Dodge</p>

Administration of Trial Courts	Notes
<p>Budget Act of 2021. SB 170, Ch. 240</p> <p>Laws: An act to amend the Budget Act of 2021 (Chapters 21 and 69 of the Statutes of 2021).</p> <p>Summary: This is a budget appropriations bill that amends the Budget Act of 2021. Changes for the Judicial Branch include the provision of \$30 million in FY 21/22 funding for a new Court Interpreter Employment Incentive Grant program, \$30 million in ongoing funding to increase the number of court reporters in civil and family law cases, \$7 million in ongoing funding to cover costs from increased transcript rates, and additional funding of \$52.8 million for the construction of the Stanislaus Superior Court's new Modesto Courthouse.</p> <p>Court Impact: <i>An informational memo from Judicial Council Language Access Services on the Court Interpreter Employment Incentive Grant Program can be viewed in the 10/14/21 Trial Court Budget Advisory Committee meeting materials, which outlines statutory program requirements. Courts can consider whether or not to submit an application for grant funding, which can be expended or encumbered through June 30, 2024. Proposed methodologies for allocating new court reporter funding and funding for transcript rate increases (pursuant to AB 177) to all trial courts are scheduled to be considered by the Judicial Council at its January 20-21, 2022 business meeting. Trial courts will receive their share of the funding in a monthly distribution after that date. Courts will need to plan and budget for use of the funding, as well as return unspent funding in both areas following a true-up process at the end of each fiscal year. The funding is restricted. Additional funding for the new Modesto Courthouse is for increased construction costs and should aid in the completion of that project.</i></p>	<p style="text-align: center;">URGENCY OPERATIVE 09/23/21</p> <p style="text-align: center;">Sharif Elmallah</p>

**Civil actions: shorthand reporters, remote appearances,
extension of deadlines applicable to discovery, electronic service of documents,
minor's compromise petitions.**

SB 241, Ch. 214

Laws: An act to amend, repeal, and add Section 8050 of, and to add and repeal Section 8051 of, the Business and Professions Code, to amend Sections 599 and 1010.6 of, and to add and repeal Section 367.75 of, the Code of Civil Procedure, and to add Section 3505 to the Probate Code, relating to civil actions.

Summary: This bill affects the Business and Professions Code, the Code of Civil Procedure, and the Probate Code.

- As it relates to the Business and Professions Code, existing law provides for the licensure and regulation of shorthand reporters by the Court Reporters Board of California (the “Board”), within the Department of Consumer Affairs. The current law subjects a person or entity to certain penalties if they engage in certain acts relating to shorthand reporting or acts constituting the same, unless the person or entity is a licensed shorthand reporter, reporting corporation, or a person or entity not subject to those provisions. This bill, on and after July 1, 2022 and until January 1, 2024, authorizes an entity that is not a shorthand reporting corporation to engage in those specific acts if the entity is approved for registration by the Board after meeting certain requirements, including the designation of a board-certified reporter-in-charge. If approved by the Board, registration would be valid for one year and would also provide for the suspension and revocation of said registration by the Board under certain circumstances. A directory of registered entities is required to be made available on the Board’s website and further authorizes the Board to adopt regulations and implement those provisions. Because it is a crime to violate provisions regulating shorthand reporting, this bill expands the provisions to apply to new registrants and thus expands the scope of a crime by violation of the provisions regulating shorthand reporting to these new registrants.
- As it relates to the Code of Civil Procedure:
 - (1) Until July 1, 2023 this bill authorizes a party to appear remotely for a court conference, hearing, proceeding, and trial through the use of remote technology. While the bill authorizes the court to require a party or witness to appear in person at any of the same, it prohibits a court from requiring a party to appear remotely. It further allows self-represented parties to appear remotely only if they agree to do so. The bill requires the court to have a process for a party, court reporter, court interpreter, or other court personnel to alert the judicial officer of technology or audibility issues. The bill also requires the Judicial Council to adopt rules to implement these above provisions.
 - (2) Existing law provides that unless otherwise ordered by the court or agreed to by the parties, a continuance or postponement of a trial date extends any deadlines, that have not already passed as of March 19, 2020, applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions for the same length of time as the continuance or

**Administration, Civil,
Family Law, Probate,
Juvenile Delinquency and
Juvenile Dependency Impact**

Jamie Newbold

postponement of the trial date. This bill applies these provisions to the continuance or postponement of an arbitration date.

(3) Existing law authorizes a court to electronically serve any document issued by the court that is not required to be personally served on a party that has agreed or consented to accept electronic service, with the same legal effect as service by mail, except as specified. This bill, on or after July 1, 2024, instead requires the court to electronically transmit those documents on a party that has agreed or consented to accept electronic service.

- As it relates to the Probate Code:

(1) Existing law authorizes a minor’s parent to compromise, or execute a covenant not to sue or not to enforce a judgment on, a claim on behalf of the minor if the minor has a disputed claim for damages, money, or other property and does not have a guardian of the estate. This bill requires the court to schedule a hearing on a petition to compromise a minor’s disputed claim within 30 days of the date filed and if the petition is unopposed, the court is required to enter a decision at the conclusion of the hearing.

Court Impact: Inform judicial officers and court staff of changes in the law. Operational impacts include:

With regards to remote appearances in non-Criminal matters: The Judicial Council is, as required by the bill, currently developing Rules surrounding the implementation of CCP367.75. Draft rules as of 11/19/2021 would expand the CCP367.75 requirements to encompass both video and audio (telephonic) appearances, the latter of which are currently governed by CCP367.5 (which has not been amended or repealed) and various Rules of Court. Depending on the outcome of the proposed Rules, case parties and Courts may be required to undergo a formal noticing process not only for video appearances, but for telephonic appearances as well. This would require significant updates to business processes for Courts currently allowing telephonic appearances using an ‘informal’ notification process as provided for in CCP367.5.

Further, as CCP367.75 provides for a presumption of allowing remote (video) appearance on request in non-Criminal matters (excluding Dependency matters), Courts will need to develop processes to 1) provide for submission of remote appearance requests (proposed Rules currently include potentially mandatory forms for this purpose), 2) evaluate the Court’s ability to comply with the requests on a case-by-case/hearing-by-hearing basis, 3) notify parties accordingly, and 4) provide the technological means for these appearances to occur (note, however, that a Court may deny a remote appearance request due to lack of available technology, or for other specified reasons as specific in CCP367.75, again on a case-by-case basis). In addition, the Court must have a process in place to allow participants in the hearing (e.g. parties, witnesses, court reporters, interpreters, and other Court staff) to alert the judicial officer of any audibility or similar technological issues that may arise during the course of the remote proceeding.

Finally, the Court must also make information regarding remote appearances options and procedures available to self-represented litigants. The requirements for such notification will likely be specified in the pending Rule(s) and require posting of the corresponding information on the Court's website.

All of the above impacts will apply, at a minimum, to all video appearances in non-Criminal, non-Dependency matters, and may also expand to telephonic appearances in those case types depending on the outcome of the proposed Rules.

CCP367.75 has similar effects on Dependency matters, with the primary differences being that 1) remote appearance requests must first be approved by the Court and 2) remote appearance requests may be objected to by any party to the case. In the case of witnesses, remote appearances are only permissible if all parties have consented. As such, the Court will need to develop an altered remote appearance request/notification process for Dependency matters that takes these nuances into account.

*Note: in no circumstance does CCP367.75 allow the Court to **require** a party to appear remotely.*

With regards to Electronic Service by the Court: *While electronic service by a Court to parties who have affirmatively agreed to accept electronic service is currently permitted, because electronic service by Courts to said parties will become mandatory effective 7/1/2024 Courts will need to ensure that they have an electronic service process in place by that time.*

With regards to matters filed under Probate Code 3500 (Minor's Compromise): *Courts will need to update their business processes to set a hearing date within 30 days of filing of the Claim.*

<p>Public employment: labor relations: employee information. SB 270, Ch. 330</p> <p><u>Laws:</u> Amend § 3558 of the Government Code.</p> <p><u>Summary:</u> This bill allows public employee unions to file an unfair labor practice charge with PERB if a public employer doesn't comply with requirements to disclose employee information under Government Code § 3558. The bill specifies that such a charge may be filed if the union provides written notice to the employer's designated representative, and the employer does not cure the violation within 20 calendar days if it is curable as specified. If PERB upholds an alleged violation of the disclosure requirements by the employer, they are required to levy a civil penalty payable to the State's General Fund not to exceed \$10,000. PERB is required to award the prevailing party attorney's fees and costs, as specified. When PERB is required to defend its decision in Superior Court after a party seeks judicial review and when PERB initiates proceedings in Superior Court to enforce an order on this topic, the Superior Court is required to award PERB attorney's fees and costs if PERB is the prevailing party.</p> <p><u>Court Impact:</u> <i>The requirement to disclose employee information pursuant to Government Code § 3558 was created by the passage of AB 119 in 2017. Human resources staff should review the code to ensure the court is compliant with the requirements, and in the event there is not compliance, implement processes to comply going forward.</i></p>	<p>Effective 07/01/22</p> <p>Sharif Elmallah</p>
<p>Employment: electronic documents. SB 657, Ch. 109</p> <p><u>Laws:</u> Adds § 1207 to the Labor Code.</p> <p><u>Summary:</u> This bill allows employers to distribute information that they are required to physically post to employees via email with the documents attached.</p> <p><u>Court Impact:</u> <i>Courts may decide to share information via email in addition to physically posting it.</i></p>	<p>Holly Dodge</p>

Administration of Trial Courts Informational Bills	Notes
<p>State government. AB 163, Ch. 251</p> <p>Laws: Related to the Judicial Branch, amend §§ 8030.2 and 8030.6 of the Business and Professions Code.</p> <p>Summary: Operative 9/23/21. This is a budget trailer bill for state government for the Budget Act of 2021. In relation to the work of the Judicial Branch, this bill clarifies that appropriations to the State's Transcript Reimbursement Fund from sources other than fees collected by the Court Reporters Board of California are not subject to a \$300,000 annual transfer limit, and it increases maximum reimbursement amounts as specified from the Transcript Reimbursement Fund.</p> <p>Court Impact: <i>This bill is informational for courts and should not have any direct operational impact. Indigent litigants representing themselves and pro bono attorneys representing indigent litigants in civil matters may apply for reimbursement of transcript costs from the State Transcript Reimbursement Fund. The program is administered by the Court Reporters Board of California, and more information on it and how applications may be submitted can be found here: https://www.courtreportersboard.ca.gov/trf/index.shtml.</i></p>	<p>Sharif Elmallah</p>
<p>Local government: county regional justice administration. AB 414, Ch. 117</p> <p>Laws: Amend §§ 71601 and 71614 of, and repeal §§ 53721.5, 53721.6, 70219, and Chapters 13.6, 13.7, and 13.8 of Part 2 of Division 2 of Title 3 of the Government Code.</p> <p>Summary: This bill repeals the Regional Justice Facilities Acts and related code sections regarding potential taxes authorized by the Act as they have become obsolete due to trial court unification and the state's assumption of court funding. The bill also repeals the statute requiring the Judicial Council and the California Law Revision Commission to determine if any provisions of law have become obsolete due to unification or the state's assumption of funding obligations and makes non-substantive conforming changes to the Trial Court Employment Protection and Governance Act.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Holly Dodge</p>

Administration of Trial Courts Informational Bills	Notes
<p>Judges’ Retirement System II: federal law limits: adjustments. AB 1293, Ch. 304</p> <p><u>Laws:</u> Add §§ 9359.06, 75075.03, and 75527.5 to the Government Code.</p> <p><u>Summary:</u> This bill conforms the calculation of pension payments for retired judges and justices with how such calculations occur for retired state employees. Specifically, it implements annual retesting of pension amounts "against the most recent federal limitation on compensation and benefits pursuant to federal law."</p> <p><u>Court Impact:</u> <i>This bill is informational for judicial officers and should not have any direct impact on court operations.</i></p>	<p>Sharif Elmallah</p>
<p>Pilot program: increased fee for low-income jurors: criminal trials. AB 1452 , Ch. 717</p> <p><u>Laws:</u> Add and repeal (in 2023) § 240 of the Code of Civil Procedure.</p> <p><u>Summary:</u> This bill establishes a pilot program in San Francisco that will pay eligible jurors \$100 per day to serve in a criminal case in an effort to produce a more economically and racially diverse jury panel. Jurors whose employer does not compensate for any jury service or for the estimated duration of the criminal jury trial, or jurors who are self-employed or unemployed will qualify for the increased payment.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Holly Dodge</p>
<p>Settlement and nondisparagement agreements. SB 331, Ch. 638</p> <p><u>Laws:</u> Amends § 1001 of the Code of Civil Procedure. Amends § 12964.5 of the Government Code.</p> <p><u>Summary:</u> This bill replaces discrimination based on sex with any form of discrimination and adds that any provision within a settlement agreement that restricts the disclosure of factual information relating to a claim is prohibited. Adds an act of retaliation against a person for opposing harassment to the list of claims in which such provisions are prohibited. Provides language that must be included in a nondisparagement or separation agreement, or other contractual provisions, that restricts an employee's ability to disclose information related to conditions in the workplace. States that any provision in violation is against public policy and is unenforceable. Employers offering an employee or former employee a separation agreement shall notify them that they have a right to consult an attorney regarding the agreement and will provide no less than five business days to do so, and the agreement may include a general release or waiver of all claims and prohibit the disclosure of trade secrets, proprietary information, or confidential information that does not involve unlawful acts in the workplace.</p> <p><u>Court Impact:</u> <i>Informational only for human resources staff.</i></p>	<p>Holly Dodge</p>

Administration of Trial Courts Informational Bills	Notes
<p>Workplace safety: violations of statutes: enterprise-wide violations: egregious violations. SB 606, Ch. 336</p> <p>Laws: Amends §§ 6317, 6323, 6324, 6429, and 6602 of, and adds §§ 6317.8 and 6317.9 to, the Labor Code.</p> <p>Summary: This bill establishes a rebuttable presumption that an employer with multiple work sites has committed an enterprise-wide violation if they have a written policy that violates specified statutes or standards or if Cal/OSHA establishes a pattern of the same violation at more than one of the employer's work sites. The bill also establishes a new type of violation, an "egregious violation," and specifies penalties and related Cal/OSHA processes for the aforementioned types of violations.</p> <p>Court Impact: <i>This bill is informational for human resources staff, particularly those responsible for ensuring compliance with workplace health and safety regulations.</i></p>	<p>Sharif Elmallah</p>

CIVIL	NOTES
<p>COVID-19 relief. AB 81, Ch. 5</p> <p>Laws: An act to amend Sections 789.4, 1785.20.4, 1788.65, 1788.66, and 1942.9 of, and to amend and renumber Section 1179.04.5 of, the Civil Code, to amend Sections 871.10, 1179.03, and 1179.05 of the Code of Civil Procedure, to amend Sections 50897.1 and 50897.3 of the Health and Safety Code, to amend Section 4003 of the Unemployment Insurance Code, and to amend Section 11157 of the Welfare and Institutions Code, relating to COVID-19 relief, and making an appropriation therefor, to take effect immediately, bill related to the budget.</p> <p>Summary: Amends and clarifies statutes previously amended by SB 91 by:</p> <ul style="list-style-type: none"> • Amending CCP § 871.10 to provide that actions to recover COVID-19 Rental Debt, whether filed as a small claims action or a limited or unlimited civil case, may not commence or otherwise proceed before August 1, 2021 (was previously July 1, 2021 under SB 91). • Renumbering Civil Code section 1179.04.5 as Code of Civil Procedure section 1179.04.5. • Prohibiting local ordinances from permitting a tenant a period of time that extends beyond August 31, 2022, to repay COVID-19 rental debt (was previously August 31, 2021 under SB 91). (CCP § 1179.05.) <p>Conforms state to federal extended unemployment compensation benefits. (Unemployment Ins. Code § 4003.)</p> <p>Exempts federal pandemic unemployment compensation from consideration as income for purposes of CalWORKS eligibility. (Welf. & Inst. Code § 11157.)</p> <p>Court Impact: <i>Low operational impact. Inform judicial officers and staff attorneys of changes in the law.</i></p>	<p style="text-align: center;">URGENCY</p> <p style="text-align: center;">OPERATIVE 02/23/21</p> <p style="text-align: center;">Adriana Anzalone</p>

<p>Public resources.</p> <p>AB 148, Ch. 115</p> <p><u>Laws:</u> An act to amend Section 2782.6 of the Civil Code, to add Section 5122.5 to the Corporations Code, to amend Sections 17210 and 17213 of the Education Code, to amend Sections 1348, 1350, 1352, 1745.1, and 1745.2 of the Fish and Game Code, to add Section 569.5 to the Food and Agricultural Code, to amend Sections 8670.2, 8670.3, 8670.40, 15472, 15473, 15475, and 65850.2 of, to add Sections 15475.1, 15475.2, 15475.4, 15475.5, and 15475.6 to, and to add and repeal Section 16428.92 of, the Government Code, to amend Sections 13143.9, 25501, 25503, 25504, 25506, 25507, 25507.1, 25510, 25510.1, 25516, 25517, 25531.2, 25532, 25533, 25534, 25534.05, 25534.06, 25534.5, 25535, 25535.1, 25535.2, 25535.5, 25536, 25536.6, 25536.9, 25537, 25537.5, 25538, 25539, 25541.5, 25542, 25543, 25543.1, 25543.2, 25543.3, and 25545 of, to add Section 41855.8 to, and to add and repeal Chapter 4.7 (commencing with Section 116773) of Part 12 of Division 104 of, the Health and Safety Code, to amend Section 7856 of the Labor Code, to amend Sections 5011, 8750, 14515.8, 14571.9, 14581, 21151.4, 21151.8, 25620.8, 25711.5, and 41821 of, and to add and repeal Section 5010.2.5 of, the Public Resources Code, to amend Sections 270, 282, 895, 8385, 8386, 8386.1, 8386.3, 8386.5, and 8389 of the Public Utilities Code, to amend Sections 46001.5, 46007, 46008, 46011, 46017, 46021, 46023, 46028, 46053, 46101, 46151, and 46751 of, and to add Sections 46024 and 46025 to, the Revenue and Taxation Code, and to amend Section 81023 of, and to add and repeal Article 6 (commencing with Section 13198) of Chapter 3 of Division 7 of, the Water Code, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.</p> <p><u>Summary:</u> This bill is the omnibus Resources budget trailer bill. It contains provisions necessary to implement the 2021 Budget Act.</p> <p>As to Courts specifically, decisions of the Office of Energy Infrastructure Safety, within the Natural Resources Agency , are subject to judicial review in the superior court. The superior court must give preference to cases seeking judicial review of decisions of the office over all civil actions or proceedings pending before the superior court. Appeals of the superior court’s decision of those cases shall be given preference in hearings before the court of appeal and the Supreme Court.</p> <p>Within 30 days after service of a decision issued by the office pursuant to Section 15475.4, a regulated entity or aggrieved stakeholder may file with the superior court a petition for writ of review. If no petition is filed within the time provided by this section, the determination of the office is not subject to review by any court or agency.</p>	<p style="text-align: center;">URGENCY</p> <p style="text-align: center;">OPERATIVE 07/22/21</p> <p style="text-align: center;">Robyn Bullington</p>
---	--

The decision of the office shall be sustained by the court unless the court finds that (1) the office proceeded without, or in excess of its jurisdiction, (2) that, based exclusively upon review of the record before the office, the decision is not supported by substantial evidence in light of the whole record, or (3) that the office failed to proceed in a manner required by law.

Court Impact: *Minor Court Impact. Courts will need to implement procedures for the scheduling and hearing of writs appealing the decisions of the Office of Energy Infrastructure Safety so that they are given priority over all other civil actions.*

<p>Change of gender and sex identifier. AB 218, Ch. 577</p> <p>Laws: An act to amend Sections 1276 and 1277 of the Code of Civil Procedure, and to amend Sections 102426 and 102430 of, to amend, repeal, and add Sections 103400 and 103725 of, and to repeal and add Article 7 (commencing with Section 103425) of Chapter 11 of Part 1 of Division 102 of, the Health and Safety Code, relating to vital records.</p> <p>Summary: Effective January 1, 2023, this bill authorizes a person filing a petition for change of name and/or gender to request the court order a new marriage license and certificate; confidential marriage license and certificate; and/or child’s birth certificate be issued to reflect the change.</p> <p>Additionally, this bill authorizes a person, who does not reside in California, to file a petition for change of name and/or gender when seeking to change their name and/or gender on a birth certificate; legal child’s birth certificate; marriage license and certificate; or confidential marriage license and certificate issued within the state of California. Further this bill provides publication rules for petition for change of name filed by a person who does not reside in California and authorizes a court to allow an alternate method of publication or waive the publication requirement after sufficient evidence has been submitted to the court.</p> <p>Court Impact: <i>Inform judicial officers, staff attorneys, self-help centers, and operations staff of changes in the law. Review processing manuals, filing procedures and watch for any updates to the judicial council’s mandatory name change forms.</i></p>	<p>OPERATIVE 01/01/2023</p> <p>Amy Malone</p>
--	--

<p>Private Student Loan Collections Reform Act: collection actions. AB 424, Ch. 559</p> <p><u>Laws:</u> An act to add Title 1.6C.15 (commencing with Section 1788.200) to Part 4 of Division 3 of the Civil Code, relating to student loans.</p> <p><u>Summary:</u> Beginning July 1, 2022 this bill prohibits a person from engaging in the business of servicing a student loan in this state without a license, with certain exceptions. Prohibits a private education lender/loan collector from making any written statement to a debtor in an attempt to collect a private education loan unless the lender/loan collector possesses certain information regarding the loan and provides this information to the debtor. Requires all settlement agreements between private education lenders/loan collectors and a debtor to be documented in open court or otherwise reduced to writing. Requires a private education lender/loan collector that accepts a payment as payment in full or as a full and final compromise of a private education loan, within 30 calendar days, to provide specified information to the debtor regarding the loan.</p> <p><u>Court Impact:</u> <i>Minor Court Impact. As a result of Covid, the Court may see an increase in filings of petitions or requests for hearings because of requirement to document settlements in open court or in writing. Informational for judicial officers, legal research, and self-help centers of the requirements for complaints and defaults in these actions.</i></p>	<p>OPERATIVE 07/01/22</p> <p>Robyn Bullington</p>
<p>California Public Records Act. AB 473, Ch. 614</p> <p><u>Laws:</u> An act to add and repeal Article 3 (commencing with Section 6276.50) of Chapter 3.5 of Division 7 of, and to add Division 10 (commencing with Section 7920.000) to, Title 1 of the Government Code, relating to public records.</p> <p><u>Summary:</u> Recodifies and reorganizes the provisions of the California Public Records Act. Includes provisions to govern the effect of recodification and states that the bill is intended to be entirely non-substantive in effect.</p> <p><u>Court Impact:</u> <i>Advise employees/division handling public records requests of the reorganization which will take effect January 1, 2023. Courts may need to update letters/forms used to respond to records requests with reference to the new code sections.</i></p>	<p>OPERATIVE 01/01/23</p> <p>Robyn Bullington</p>

COVID-19 relief: tenancy: federal rental assistance.

AB 832, Ch. 27

Laws: An act to amend Sections 789.4, 1788.65, 1788.66, 1942.5, and 3273.1 of the Civil Code, to amend Sections 116.223, 871.10, 871.11, 871.12, 1161.2.5, 1179.02, 1179.03, 1179.03.5, 1179.04, 1179.05, and 1179.07 of, to amend and repeal Section 1161.2 of, and to add and repeal Chapter 6 (commencing with Section 1179.08) of Title 3 of Part 3 of, the Code of Civil Procedure, and to amend Sections 50897, 50897.1, 50897.2, 50897.3, and 50897.4 of, and to add Sections 50897.2.1 and 50897.3.1 to, the Health and Safety Code, relating to tenancy, and declaring the urgency thereof, to take effect immediately.

Summary: Extension of CTRA’s Eviction Protections:

- Extends the “covered time period” of the COVID-19 Tenant Relief Act (AB 3088/ SB 91) to September 30, 2021. (CCP § 1179.02(a).)
- Extends the end of the “transition period” to September 30, 2021. Thus, for residential UD actions based on nonpayment of rent due between September 1, 2020, and September 30, 2021 (COVID-19 rental debt due during the transition period), if the tenant delivers a timely declaration of COVID-19-related financial distress to the landlord:
 - no unlawful detainer action may be initiated by the landlord until October 1, 2021 (§ 1179.03(g)(2)(A)).
 - no unlawful detainer judgment may ever issue based on that unpaid rent if the tenant, by September 30, 2021, pays the landlord at least 25 percent of all COVID-19 rental debt due during the transition period. (§ 1179.03(g)(2)(B).) The tenant is still liable for the other 75 percent of the COVID-19 rental debt from the transition period (see notice to tenant in section 1179.03(c)), but that debt cannot be a basis for an eviction. Instead, the unpaid rent is converted to consumer debt.
 - if the tenant does not pay the 25 percent minimum by September 30, 2021, an unlawful detainer action may proceed after September 30, 2021.
- Extends the dismissal date under CCP § 1179.03(h) upon a finding that a tenant’s failure to timely return a signed declaration of COVID-19-related financial distress to the landlord was the result of mistake, inadvertence, surprise, or excusable neglect. If the court makes such a finding, requires the court to dismiss, without prejudice, any cause of action (the entire case if appropriate) based on the notice demanding payment of COVID-19 rent:
 - if before October 1, 2021, dismissal without further conditions.
 - if on or after October 1, 2021, and for rent due during the transitional period, dismissal conditioned on the tenant, within 5 days of the order, making the minimum payments required by statute.
- Provides that prior to October 1, 2021 (was February 1, 2021 under AB 3088 and July 1, 2021 under SB 91), a tenant cannot be found guilty of UD unless:
 - the tenant was guilty of the UD prior to March 1, 2020
 - the tenant failed to provide a timely declaration of COVID-19-related financial distress to the landlord
 - in UD actions based solely on reasons other than nonpayment of rent, judgment may be entered prior to October 1, 2021 only if a no-fault or at-fault “just cause” exists for the termination of the tenancy. (CCP §

**URGENCY
OPERATIVE 06/28/21**

Adriana Anzalone

1179.03.5(a)(3).)

- Amends CCP §1179.05 by extending the preemption dates of local ordinances through March 31, 2022.
- Adds new language to be included in 15-day notices to pay rent or quit served on or after July 1, 2021 that demand the payment of COVID-19 rental debt due during the transition period (September 1, 2020 – September 30, 2021). (CCP § 1179.03(c)(6).)
- Adds subdivision (c) to CCP §1179.04, which contains the required notice language to tenants who, as of July 1, 2021, have not paid one or more rental payments that came due between March 1, 2020 and September 30, 2021. A landlord may not serve a 15-day notice to quit based on COVID-19 rental debt before the applicable notice described in CCP § 1179.04, subdivisions (a), (b), or (c) has been provided.
- Extends the repeal date of the CTRA to October 1, 2025. (CCP § 1179.07.)

Additional Tenant Protections:

- Amends Civil Code § 789.4 (imposition of additional damages on landlords who resort to self-help to evict a tenant) by extending the sunset date to October 1, 2021.
- Amends Civil Code § 1788.65 (prohibiting a person from selling or assigning any COVID-19 rental debt) by extending the sunset date to October 1, 2021.
- Amends Civil Code § 1788.66 (prohibiting a person from selling or assigning any COVID-19 rental debt of any person who would have qualified for rental assistance funding). Section applies if the person’s household income is at or below 80% of the area median income for 2020 or 2021.
- Amends Civil Code § 1942.5 (retaliation law) by extending the sunset date to October 1, 2021.
- Extends the masking provisions of CCP §§ 1161.2 and 1161.2.5 by removing the sunset date. Thus, limited UD actions filed between March 4, 2020 and September 30, 2021 based on nonpayment of rent and all civil actions to recover COVID-19 rental debt will be permanently masked.
- Requires the court, in limited UD actions, to include the additional language stated in CCP § 1161.2(c)(5) in the “Notice That You Have Been Sued” mailed by the court to each defendant between October 1, 2021 and March 31, 2022.

State Rental Assistance Program:

- Makes various amendments to Health & Safety Code §§ 50897, et seq., which establishes a rental assistance program using federal money allocated to California for rental relief.
- Increases the reimbursement percentages to landlords from 80% to 100% for unpaid rental debt accumulated on or after April 1, 2020. (H&S § 50987.1(d).)
- Allows tenants to apply directly for 100% of the rental arrears accumulated on or after April 1, 2020. Requires tenants to provide the full amount of the rental arrears to the landlord within 15 days, excluding Saturdays, Sundays, and judicial holidays, of receiving the funds. If tenants fail to comply, authorizes landlords to charge a late fee. If tenants fail to pay the late fee, this cannot form the basis for a UD action. (H&S § 50897.1(e).)

- Authorizes payments to landlords and tenants where the tenant no longer occupies the unit, but still owes rental arrears. (H&S § 50897.1(h).)

COVID-19 Rental Housing Recovery Act:

- Codifies the COVID-19 Rental Housing Recovery Act at CCP §§ 1179.08, et seq.
- Notices for a residential property that demand payment of “COVID-19 recovery period rental debt,” which is defined as rental debt of a tenant under a tenancy that came due between October 1, 2021 and March 31, 2022, must:
 - provide a time period in which the tenant must pay or quit of no shorter than 3 days, excluding Saturdays, Sundays, and judicial holidays.
 - include the amount of rent demanded and the date each amount became due; the telephone number and web address of the pertinent rental assistance program; and the quoted language in CCP § 1179.10(a)(2)(C). (CCP § 1179.10(a).)
 - if the landlord was required to provide a translation of the rental agreement in the language in which the agreement was negotiated, the landlord must also provide the notice in CCP § 1179.10(a)(2)(C) in that language.
- Notices that fail to comply with the above requirements are insufficient to support a cause of action for UD and do not form the basis for default judgment. The court, on its own motion, or on a motion by a defendant, must dismiss a UD cause of action that is based on a notice that does not meet the requirements. Insufficiency of the notice can be raised by defendant as a complete defense to a UD action. (CCP § 1179.10(b).)
- Between October 1, 2021 and March 31, 2022, the court cannot issue a summons on a UD complaint that seeks possession of residential real property based on nonpayment of rental debt that accumulated between March 1, 2020 and September 30, 2021, if it accumulated during a tenancy initially established before October 1, 2021, unless the plaintiff files (CCP § 1179.11(a)):
 - a statement verifying, under penalty of perjury, that before filing the complaint, the landlord’s application for rental assistance was denied and a copy of the final decision denying the rental assistance application; OR
 - a statement, under penalty of perjury, verifying that all of the following are true: (A) before filing the complaint, landlord submitted an application for rental assistance; (B) 20 days have passed since the later of the date the landlord submitted the application or the date the landlord served the tenant with the 3-day notice; (C) landlord has not received notice from the rental assistance program that the tenant has submitted an application for rental assistance; and (D) landlord has received no communication from tenant that tenant has applied for rental assistance; OR
 - a statement, under penalty of perjury, that the rental debt demanded from defendant accumulated under a tenancy that was initially established on or after October 1, 2021.
 - per CCP § 1179.11(b), the Judicial Council has incorporated these requirements into the mandatory Form

UD-101 Cover Sheet.

- if the above criteria for issuance of a summons have not been met within 60 days of the filing of the complaint, the court must dismiss the action, without prejudice. (CCP § 1179.14.)
- Between October 1, 2021 and March 31, 2022, a judgment or default judgment in favor of plaintiff on a UD complaint that seeks possession of residential real property based on nonpayment of rental debt that accumulated between March 1, 2020 and September 30, 2021, if it accumulated during a tenancy initially established before October 1, 2021, cannot issue unless the court finds both the following are true (CCP § 1179.11(c)):
 - before filing the complaint, landlord applied for rental assistance to cover the rental debt demanded in the complaint AND
 - landlord’s application was denied because of lack of eligibility, lack of funding, or the application remained incomplete, due to the failure of tenant to complete its portion of the application, for 15 days, excluding Saturdays, Sundays, and judicial holidays, after the landlord properly completed its portion of the application.
 - in making the above findings, the court may take judicial notice of information that the rental assistance program must make available to verify the status of a rental assistance application. (See CCP § 1179.12.)
 - if defendant contests whether plaintiff has met the above requirements, plaintiff bears the burden of proving the requirements have been satisfied. (CCP § 1179.11(e).)
 - the above verifications have been incorporated into mandatory Form UD-120, which must be submitted with any request for default judgment.
- Between October 1, 2021 and March 31, 2022, for UD complaints that seek possession of residential real property based on nonpayment of rental debt that accumulated between March 1, 2020 and September 30, 2021, if it accumulated during a tenancy initially established before October 1, 2021, along with the summons, complaint, and any other required document, plaintiff must also serve defendant with copies of the statement and final decision filed with the court pursuant to CCP § 1179.12(a), and set forth above. Failure to serve these copies constitutes sufficient grounds to grant a motion to quash service of summons. (CCP § 1179.11(d).)
- For residential rental debt incurred on or after October 1, 2021 and before March 31, 2022, landlord must be compensated for all the unpaid rent demanded in the notice in order to prevent a UD judgment based on that complaint. For rental debt incurred on or after September 1, 2020 and before September 30, 2021, landlord must be provided 25% of the unpaid rent demanded in the notice before October 1, 2021 in order to prevent a UD judgment based on that complaint. (CCP § 1179.11(f).)
- The court must prevent forfeiture of a written or oral lease or rental agreement, whether or not the tenancy has been terminated, and restore the tenant to possession, if necessary if all the following apply (CCP § 1179.13(a)):
 - the UD complaint is based on nonpayment of rent that accumulated between March 1, 2020 and September 30, 2021, if it accumulated during a tenancy initially established before October 1, 2021; AND
 - the tenant submits verification to the court that a rental assistance program has approved an application for rental assistance corresponding to the rental debt demanded in the complaint. The verification must

<p>consist of either: a copy of the final decision from the rental assistance program or a property address and application number to enable the court to confirm the final decision, the corresponding property address, and the amount of payment approved; AND</p> <ul style="list-style-type: none"> ○ the payment from the rental assistance program, together with any additional payments made by the tenant, constitute full payment of the rental debt demanded in the complaint. <p>• Provides a backstop for tenants to make an application to the court for relief from forfeiture of a lease or rental agreement, whether or not the tenancy has been terminated, if the application is made before restoration of the premises to the landlord. (CCP § 1179.13(b).)</p> <ul style="list-style-type: none"> ○ The application must consist of verification that a rental assistance program has approved an application for rental assistance corresponding to the rental debt demanded in the complaint. The verification must consist of either: a copy of the final decision from the rental assistance program or a property address and application number to enable the court to confirm the final decision, the corresponding property address, and the amount of payment approved. Per CCP § 1179.13(c), the Judicial Council has adopted the mandatory Form UD-125 Application for this purpose. ○ Upon the filing of a Form UD-125, the court must: <ul style="list-style-type: none"> - Set a hearing on the matter on not less than 5 and not more than 10 days' notice to the parties, which notice is to be given by the court. The hearing can be held separately or in conjunction with any other noticed hearing or trial. - Stay the action if judgment has not been entered, stay execution of any writ of possession, and notify the sheriff. (CCP § 1179.13(d).) <p>• At the hearing, the court must rule upon the application by (CCP § 1179.13(e)):</p> <ul style="list-style-type: none"> - Denying the application if tenant does not qualify for relief under CCP § 1179.13(a); OR - Granting the application, setting aside any judgment, and dismissing the case if tenant qualifies for relief and plaintiff has received full payment of the rental debt demanded in the complaint; OR - Setting a follow-up hearing within 15 days, excluding Saturdays, Sundays, and judicial holidays, and extending the stay of the action and the stay of execution of any writ of possession through the date of the follow-up hearing, if tenant qualifies for relief but plaintiff has not received full payment of the rental debt demanded in the complaint. At the follow-up hearing, the court must issue one of the following orders: <ul style="list-style-type: none"> • Denying the application if the rental assistance program has withdrawn approval of rental assistance; OR • Granting the application, setting aside any judgment, and dismissing the case if plaintiff has received full payment of the rental debt demanded in the complaint; OR • Ordering another follow-up hearing if the rental assistance program has not withdrawn the approval of rental assistance but plaintiff has not received full payment because the rental assistance program has not yet issued its part of the payment; OR <p>• Denying the application, without prejudice, if the rental assistance program has not withdrawn the approval</p>	
--	--

<p>of rental assistance but plaintiff has not received full payment because tenant has not paid tenant’s part of the payment.</p> <ul style="list-style-type: none"> ○ If the court grants an application for relief under CCP § 1179.13(e), tenant is not a prevailing party entitled to costs under CCP § 1032, or any attorneys’ fees provision appearing in contract, statute, or any other law. (CCP § 1179.13(e)(2).) • The COVID-19 Rental Housing Recovery Act remains in effect until September 30, 2024. (CCP § 1179.15.) <p><i>Court Impact:</i> <i>Inform judicial officers, staff attorneys, and clerical staff of the changes in the law. In addition, each court will need to determine what updates are necessary to their case management system (including notices and the extension of masking periods) and update or establish filing procedures based on the changes provided in this bill.</i></p>	
<p>Civil procedure: restraining orders. AB 1143, Ch. 156</p> <p><i>Laws:</i> An act to amend Section 527.6 of the Code of Civil Procedure, relating to civil procedure.</p> <p><i>Summary:</i> This bill seeks to eliminate unnecessary statutory rigidity in cases involving civil harassment restraining orders. Provides that in lieu of personal service of a petition for civil harassment, if a respondent's address is unknown, the court may authorize another method of service. Requires that a petitioner must make a diligent effort to serve the respondent and provide that alternative service is only permitted if the petitioner has been unable to accomplish personal service, and that there is reason to believe that the respondent is evading service or cannot be located.</p> <p><i>Court Impact:</i> <i>Inform judicial officers, family law facilitators and court operations staff of the amendments to civil code. Revise any internal court operational procedures.</i></p>	<p style="text-align: center;">Family and Civil Impact</p> <p style="text-align: center;">Sara MacCaughey</p>

<p>Judiciary omnibus. AB 1578, Ch. 401</p> <p>Laws: An act to amend Sections 52.1 and 2983.3 of the Civil Code, to amend Sections 1245.020, 1245.060, 1250.320, 1260.230, 1276, and 1277 of the Code of Civil Procedure, to amend Section 44944 of the Education Code, to amend Section 22329 of the Financial Code, to amend Sections 11425.20, 11440.20, 11440.30, 11507.6, 11508, 12935, 12945.2, and 19242 of the Government Code, to amend Sections 13009, 13009.1, and 103430 of the Health and Safety Code, to amend Section 10139 of the Insurance Code, and to amend Section 4712 of the Welfare and Institutions Code, relating to state government.</p> <p>Summary: This bill enacts numerous technical changes to various California codes as part of the judiciary omnibus bill. Major provisions for civil case types include:</p> <ul style="list-style-type: none"> • Codify the California Supreme Court’s decision in Property Reserve Inc. v. Superior Court (2016) 1 Cal. 5th 151, which provides that a defendant property owner, that is subject to an eminent domain action, may seek to recover damages as a defendant and as a property owner possess a right to jury trial to seek compensation for pre-condemnation damages, the right to jury trial may be waived by the defendant. • Extends the statute of limitations from 2 years to 3 years for a civil action seeking cost recovery to be brought against a person who negligently, or in violation of the law, set a fire, allowed a fire to be set or allowed an attended fire to escape. • States that petitions for change of name of a minor submitted by one of the following shall be made in the court having jurisdiction of a minor: <ul style="list-style-type: none"> ○ A guardian who is appointed by the juvenile or probate court; ○ A court-appointed dependency attorney appointed as a guardian; ○ An attorney for a minor who is alleged or adjudged to be a ward of the court. <p>Court Impact: <i>Inform judicial officers, staff attorneys, and operation staff of changes in the law – minimal impact on operations. May require changes/updates to processing manuals.</i></p>	<p>Amy Malone</p>
---	-------------------

<p>Environmental quality: Jobs and Economic Improvement Through Environmental Leadership Act of 2021 CEQA</p> <p style="text-align: right;">SB 7, Ch. 19</p> <p>Laws: An act to add and repeal Chapter 6.5 (commencing with Section 21178) of Division 13 of the Public Resources Code, relating to environmental quality, and declaring the urgency thereof, to take effect immediately.</p> <p>Summary: This bill re-establishes the expedited California Environmental Quality Act (CEQA) administrative and judicial review procedures in the Jobs and Economic Improvement Through Environmental Leadership Act (Leadership Act) for “environmental leadership development projects” (Leadership Projects) for four years. Additionally, this bill expands the Leadership Act to include smaller housing projects.</p> <p>Court Impact: <i>Courts will need to revise procedures for judicial review of environmental leadership projects, as defined, once the Judicial Council adopts rules of court to guide implementation of the provisions of this bill.</i></p>	<p>Robyn Bullington</p>
--	-------------------------

COVID-19 relief: tenancy: federal rental assistance.

SB 91, Ch. 2

Laws: An act to amend Sections 789.4, 1942.5, and 3273.1 of, to add Sections 1785.20.4, 1788.66, and 1942.9 to, and to add and repeal Section 1788.65 of, the Civil Code, to amend Sections 116.223, 1161.2, 1161.2.5, 1179.01, 1179.02, 1179.03, 1179.03.5, 1179.04, 1179.05, and 1179.07 of, to amend the heading of Chapter 5 (commencing with Section 1179.01) of Title 3 of Part 3 of, to add Section 1179.04.5 to, and to add and repeal Chapter 11 (commencing with Section 871.10) of Title 10 of Part of, the Code of Civil Procedure, to amend Section 925.6 of the Government Code, and to add Chapter 17 (commencing with Section 50897) to Part 2 of Division 31 of the Health and Safety Code, relating to tenancy, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Summary: Extension of CTRA’s Eviction Protections:

- Extends the “covered time period” of the COVID-19 Tenant Relief Act (“CTRA”, AB 3088) to June 30, 2021. (CCP § 1179.02(a).) CTRA’s protections previously applied only to rental debt through January 31, 2021.
- Extends the repeal date of the CTRA from February 1, 2025 to July 1, 2025. (CCP § 1179.07.)
- Extends the end of the “transition period” from January 31, 2021 to June 30, 2021. Thus, for residential UD actions based on nonpayment of rent due between September 1, 2020, and June 30, 2021 (COVID-19 rental debt due during the transition period), if the tenant delivers a timely declaration of COVID-19-related financial distress to the landlord:
 - no unlawful detainer action may be initiated by the landlord until July 1, 2021 (§ 1179.03(g)(2)(A)).
 - no unlawful detainer judgment may ever issue based on that unpaid rent if the tenant, by June 30, 2021, pays the landlord at least 25 percent of all COVID-19 rental debt due during the transition period. (§ 1179.03(g)(2)(B).) The tenant is still liable for the other 75 percent of the COVID-19 rental debt from the transition period (see notice to tenant in section 1179.03(c)(4)), but that debt cannot be a basis for an eviction. Instead, the unpaid rent is converted to consumer debt.
 - if the tenant does not pay the 25 percent minimum by June 30, 2021, an unlawful detainer action may proceed after June 30, 2021.
- Extends the dismissal date under CCP § 1179.03(h) upon a finding that a tenant’s failure to timely return a signed declaration of COVID-19-related financial distress to the landlord was the result of mistake, inadvertence, surprise, or excusable neglect. If the court makes such a finding, requires the court to dismiss, without prejudice, any cause of action (the entire case if appropriate) based on the notice demanding payment of COVID-19 rent:
 - if before July 1, 2021, dismissal without further conditions.
 - if on or after July 1, 2021, and for rent due during the transitional period, dismissal conditioned on the tenant, within 5 days of the order, making the minimum payments required by statute.
- Provides that prior to July 1, 2021 (was February 1, 2021 under AB 3088), a tenant cannot be found guilty of UD unless:
 - the tenant was guilty of the UD prior to March 1, 2020

**URGENCY
OPERATIVE 01/29/21**

Adriana Anzalone

<ul style="list-style-type: none"> ○ the tenant failed to provide a timely declaration of COVID-19-related financial distress to the landlord ○ in UD actions based solely on reasons other than nonpayment of rent, judgment may be entered prior to July 1, 2021 only if a no-fault or at-fault “just cause” exists for the termination of the tenancy. (CCP § 1179.03.5(a)(3).) • Amends CCP §1179.05 by extending the preemption dates of local ordinances to August 1, 2021 and by prohibiting local ordinances from permitting a tenant a period of time that extends beyond August 31, 2021 to repay COVID-19 rental debt. <p>Newly-Added Requirements Under the CTRA:</p> <ul style="list-style-type: none"> • Adds new language to be included in 15-day notices to pay rent or quit provided on or after February 1, 2021 that demand the payment of COVID-19 rental debt due during the transition period (September 1, 2020 – June 30, 2021). (CCP § 1179.04(c)(5).) • Before February 28, 2021, for tenants who have not paid rent due at some time from March 1, 2020, to February 1, 2021, a landlord must provide the notice set out in newly-added subdivision (b) of CCP §1179.04, which includes new information about the state rental assistance program. A landlord may not serve a 15-day notice to quit based on COVID-19 rental debt before the described in CCP § 1179.04, subdivisions (a) and (b) have been provided. • Adds Civil Code § 1179.04.5, which, for the duration of any tenancy during the covered time period, prohibits landlords from: <ul style="list-style-type: none"> ○ applying a security deposit to satisfy COVID-19 rental debt, unless the tenant has agreed in writing and ○ applying a monthly rental payment to COVID-19 rental debt other than the prospective month’s rent unless the tenant has agreed in writing. ○ Civil Code § 1179.04.5 was renumbered by AB 81 and the requirements now appear in CCP § 1179.04.5. <p>Additional Tenant Protections:</p> <ul style="list-style-type: none"> • Amends Civil Code § 789.4 by extending the sunset date from February 1, 2021 to July 1, 2021, for the imposition of additional damages on landlords who resort to self-help to evict a tenant. • Adds Civil Code § 1785.20.4 prohibiting any person or entity that evaluates tenants from using an alleged COVID-19 rental debt as a negative factor when evaluating a prospective housing application or as the basis for refusing to rent to an otherwise qualified prospective tenant. • Adds Civil Code § 1788.65 prohibiting a person from selling or assigning any COVID-19 rental debt for the time period between March 1, 2020 and June 30, 2021. Sunsets July 1, 2021. • Adds Civil Code § 1788.66 prohibiting a person from selling or assigning any COVID-19 rental debt for the time period between March 1, 2020 and June 30, 2021, of any person who would have qualified for rental assistance under the Consolidated Appropriations Act, 2021, when the person’s household income is at or below 80% of the area median income for 2020. 	
--	--

- Amends Civil Code § 1942.5 (retaliation law) by extending the sunset date to July 1, 2021.
- Adds Civil Code § 1942.9 prohibiting a landlord, with respect to a tenant who has COVID-19 rental debt and who has submitted a declaration of COVID-19-related financial distress, from: charging or attempting to collect fees assessed for the late payment of that COVID-19 rental debt; or increasing fees charged or charging fees for services previously provided by the landlord without charge. Also provides that a landlord who temporarily reduces or makes unavailable a service or amenity as a result of compliance with public health orders or guidelines will not be held to have violated the lease agreement or to have provided different terms or conditions of a tenancy or reduced services for purposes of any law that established a maximum amount a landlord may charge a tenant.
- Extends the masking provisions of CCP §§ 1161.2 and 1161.2.5 to July 1, 2021.

State Rental Assistance Program:

- Adds Health & Safety Code §§ 50897, et seq., which establishes a rental assistance program using federal money allocated to California for rental relief.
- Localities with greater than 500K populations can receive “block grant allocations,” with which they may administer their own rental assistance programs. (H&S § 50897.2(a)(1).)
- Under the State Program, eligible landlords will be offered 80% of past rental debt for the period of 4/1/20 – 3/31/21 in exchange for waiving the remaining 20%; acceptance will be in full satisfaction of past rent due. (H&S § 50897.1(d).) Landlord’s acceptance of such funds would also waive any right to evict the tenant for failure to pay that rental debt. If landlord refuses this offer, tenants may apply for rental assistance payment up to 25% of past rental debt for the same period. (H&S § 50897.1(e).)
- Adds Health & Safety Code § 50897.3(e)(2), which provides that a judgment in a residential UD action for nonpayment of rent cannot be entered in the landlord’s favor unless the landlord verifies the following, under penalty of perjury: the landlord has not received, and does not have any pending application for, any rental assistance or other financial compensation either corresponding to the amount demanded in the notice or for rent accruing after the date of the notice underlying the complaint. These required verifications have been incorporated into the mandatory Form UD-101. For default judgments, a Form UD-120 must be submitted, which the Judicial Council has adopted for mandatory use.

Actions to Recover COVID-19 Rental Debt:

- Whether filed as a small claims action or a limited or unlimited civil case, may not commence or otherwise proceed before July 1, 2021. (CCP § 871.10 further extended to August 1, 2021 by AB 81.)
- Extends the time period the small claims court has jurisdiction in these cases from February 1, 2025 to July 1, 2025. (CCP § 116.223(d).)
- Adds CCP § 871.10, which provides that:
 - an action seeking recovery of COVID-19 rental debt may not be commenced before July 1, 2021;

<ul style="list-style-type: none"> ○ the complaint must have attached documentation showing that the plaintiff has made a good faith effort to: investigate whether governmental rental assistance is available to the tenant, seek governmental rental assistance for the tenant, or cooperate with the tenant’s efforts to obtain rental assistance from any governmental entity, or other third party; and ○ the court may reduce the damages awarded in such actions if the court determines that: funding was available from the State Rental Assistance Program, the tenant was eligible for that assistance, and the landlord refused such assistance. ○ for actions pending as of January 29, 2021, such actions must be stayed until July 1, 2021, unless the action is for breach of contract, was filed before October 1, 2020, and the defendant either “would [not] have qualified under the [federal] rental assistance funding” or had a household income above 80 percent of the area median income for the 2020 calendar year. <ul style="list-style-type: none"> • Adds Health & Safety Code § 50897.3, which states that in any action to recover COVID-19 rental debt (excluding debt that accrued in March 2020), judgment cannot be entered in the plaintiff’s favor unless the plaintiff verifies the following, under penalty of perjury: The landlord has not received, and does not have any pending application for, any rental assistance or other financial compensation corresponding to the amount claimed. (H&S § 50897.3(e)(1).) • Adds CCP § 871.11 for actions to recover COVID-19 rental debt brought as limited or unlimited civil actions, which limits the award of reasonable attorneys’ fees to the prevailing party to \$500 in uncontested and \$1,000 in contested matters “under ordinary circumstances.” To determine whether a case was litigated “under ordinary circumstances,” the court may consider: the number and complexity of pretrial and post-trial motions, the nature and extent of any discovery, whether the case was tried by jury or by the court, the length of the trial, and any other factor the court finds relevant. A case the judge decides is not “ordinary” based on these criteria would not be subject to the attorneys’ fees limitations. <p><i>Court Impact:</i> <i>High operational impact. Inform judicial officers, staff attorneys, and clerical staff of the changes in the law. In addition, each court will need to determine what updates are necessary to their case management system (including the extension of masking periods) and update or establish filing procedures based on the changes provided in this bill.</i></p>	
--	--

Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.

SB 241, Ch. 214

Laws: An act to amend, repeal, and add Section 8050 of, and to add and repeal Section 8051 of, the Business and Professions Code, to amend Sections 599 and 1010.6 of, and to add and repeal Section 367.75 of, the Code of Civil Procedure, and to add Section 3505 to the Probate Code, relating to civil actions.

Summary: This bill affects the Business and Professions Code, the Code of Civil Procedure, and the Probate Code.

**Administration, Civil,
Family Law, Probate,
Juvenile Delinquency and
Juvenile Dependency Impact**

Jamie Newbold

- As it relates to the Business and Professions Code, existing law provides for the licensure and regulation of shorthand reporters by the Court Reporters Board of California (the “Board”), within the Department of Consumer Affairs. The current law subjects a person or entity to certain penalties if they engage in certain acts relating to shorthand reporting or acts constituting the same, unless the person or entity is a licensed shorthand reporter, reporting corporation, or a person or entity not subject to those provisions. This bill, on and after July 1, 2022 and until January 1, 2024, authorizes an entity that is not a shorthand reporting corporation to engage in those specific acts if the entity is approved for registration by the Board after meeting certain requirements, including the designation of a board-certified reporter-in-charge. If approved by the Board, registration would be valid for one year and would also provide for the suspension and revocation of said registration by the Board under certain circumstances. A directory of registered entities is required to be made available on the Board’s website and further authorizes the Board to adopt regulations and implement those provisions. Because it is a crime to violate provisions regulating shorthand reporting, this bill expands the provisions to apply to new registrants and thus expands the scope of a crime by violation of the provisions regulating shorthand reporting to these new registrants.
- As it relates to the Code of Civil Procedure:
 - (1) Until July 1, 2023 this bill authorizes a party to appear remotely for a court conference, hearing, proceeding, and trial through the use of remote technology. While the bill authorizes the court to require a party or witness to appear in person at any of the same, it prohibits a court from requiring a party to appear remotely. It further allows self-represented parties to appear remotely only if they agree to do so. The bill requires the court to have a process for a party, court reporter, court interpreter, or other court personnel to alert the judicial officer of technology or audibility issues. The bill also requires the Judicial Council to adopt rules to implement these above provisions.
 - (2) Existing law provides that unless otherwise ordered by the court or agreed to by the parties, a continuance or postponement of a trial date extends any deadlines, that have not already passed as of March 19, 2020, applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions for the same length of time as the continuance or

postponement of the trial date. This bill applies these provisions to the continuance or postponement of an arbitration date.

(3) Existing law authorizes a court to electronically serve any document issued by the court that is not required to be personally served on a party that has agreed or consented to accept electronic service, with the same legal effect as service by mail, except as specified. This bill, on or after July 1, 2024, instead requires the court to electronically transmit those documents on a party that has agreed or consented to accept electronic service.

- As it relates to the Probate Code:

(1) Existing law authorizes a minor’s parent to compromise, or execute a covenant not to sue or not to enforce a judgment on, a claim on behalf of the minor if the minor has a disputed claim for damages, money, or other property and does not have a guardian of the estate. This bill requires the court to schedule a hearing on a petition to compromise a minor’s disputed claim within 30 days of the date filed and if the petition is unopposed, the court is required to enter a decision at the conclusion of the hearing.

Court Impact: Inform judicial officers and court staff of changes in the law. Operational impacts include:

With regards to remote appearances in non-Criminal matters: The Judicial Council is, as required by the bill, currently developing Rules surrounding the implementation of CCP367.75. Draft rules as of 11/19/2021 would expand the CCP367.75 requirements to encompass both video and audio (telephonic) appearances, the latter of which are currently governed by CCP367.5 (which has not been amended or repealed) and various Rules of Court. Depending on the outcome of the proposed Rules, case parties and Courts may be required to undergo a formal noticing process not only for video appearances, but for telephonic appearances as well. This would require significant updates to business processes for Courts currently allowing telephonic appearances using an ‘informal’ notification process as provided for in CCP367.5.

Further, as CCP367.75 provides for a presumption of allowing remote (video) appearance on request in non-Criminal matters (excluding Dependency matters), Courts will need to develop processes to 1) provide for submission of remote appearance requests (proposed Rules currently include potentially mandatory forms for this purpose), 2) evaluate the Court’s ability to comply with the requests on a case-by-case/hearing-by-hearing basis, 3) notify parties accordingly, and 4) provide the technological means for these appearances to occur (note, however, that a Court may deny a remote appearance request due to lack of available technology, or for other specified reasons as specific in CCP367.75, again on a case-by-case basis). In addition, the Court must have a process in place to allow participants in the hearing (e.g. parties, witnesses, court reporters, interpreters, and other Court staff) to alert the judicial officer of any audibility or similar technological issues that may arise during the course of the remote proceeding.

Finally, the Court must also make information regarding remote appearances options and procedures available to self-represented litigants. The requirements for such notification will likely be specified in the pending Rule(s) and require posting of the corresponding information on the Court's website.

All of the above impacts will apply, at a minimum, to all video appearances in non-Criminal, non-Dependency matters, and may also expand to telephonic appearances in those case types depending on the outcome of the proposed Rules.

CCP367.75 has similar effects on Dependency matters, with the primary differences being that 1) remote appearance requests must first be approved by the Court and 2) remote appearance requests may be objected to by any party to the case. In the case of witnesses, remote appearances are only permissible if all parties have consented. As such, the Court will need to develop an altered remote appearance request/notification process for Dependency matters that takes these nuances into account.

*Note: in no circumstance does CCP367.75 allow the Court to **require** a party to appear remotely.*

***With regards to Electronic Service by the Court:** While electronic service by a Court to parties who have affirmatively agreed to accept electronic service is currently permitted, because electronic service by Courts to said parties will become mandatory effective 7/1/2024 Courts will need to ensure that they have an electronic service process in place by that time.*

***With regards to matters filed under Probate Code 3500 (Minor's Compromise):** Courts will need to update their business processes to set a hearing date within 30 days of filing of the Claim.*

<p>Settlement and nondisparagement agreements. SB 331, Ch. 638</p> <p><u>Laws:</u> An act to amend Section 1001 of the Code of Civil Procedure, and to amend Section 12964.5 of the Government Code, relating to civil actions.</p> <p><u>Summary:</u> This bill clarifies the existing law that prohibits a settlement agreement from preventing the disclosure of factual information regarding specified acts related to a claim filed in a civil action or complaint filed in an administrative action. The acts prevented from non-disclosure in a settlement agreement include sexual assault, sexual harassment, an act of workplace harassment or discrimination based on sex, failure to prevent such an act, or retaliation against a person for reporting such an act, and an act of harassment or discrimination based on sex by the owner of a housing accommodation. For agreements entered into on or after January 1, 2022, this bill further expands the prohibition to include acts of workplace harassment or discrimination not based on sex and acts of harassment or discrimination not based on sex by the owner of a housing accommodation.</p> <p>Additionally, this bill prohibits an employer from requiring an employee to sign a nondisparagement agreement or other document for the purpose or effect of denying the employee the right to disclose information regarding any harassment or discrimination. The bill makes it unlawful for an employer or former employer to include in any agreement related to an employee’s separation from employment any provision that prohibits disclosure of information about unlawful acts in the workplace and that any provision in violation of that prohibition would be against public policy and unenforceable. The bill further requires a nondisparagement or other contractual provision that restricts an employee’s ability to disclose information related to conditions in the workplace to include specified language relating to the employee’s right to disclose information about the unlawful acts in the workplace.</p> <p><u>Court Impact:</u> <i>Inform judicial officers, staff attorneys, and court staff of changes in the law. May impact court human resources regarding personnel issues.</i></p>	<p>Jamie Newbold</p>
---	----------------------

CIVIL INFORMATIONAL BILLS	NOTES
<p>General plans: housing element: moderate-income and above moderate-income housing: suburban and metropolitan jurisdictions. AB 725, Ch. 193, Stats 2020</p> <p>Laws: An act to amend Section 65583.2 of the Government Code, relating to land use.</p> <p>Summary: This bill seeks to reduce the cost of housing by facilitating the construction of “missing-middle” housing types that accommodate more units per acre but are not inherently expensive to build. This includes medium-density housing, such as duplexes, fourplexes, garden apartments, town homes etc. Therefore, this bill requires metropolitan and suburban jurisdictions, through their housing element process, to ensure that more land is zoned for these medium-density housing typologies. It does so by requiring at least 25% of the jurisdiction’s share of the regional housing need for moderate- and above moderate-income housing must be allocated to sites with zoning that allows at least four units of housing, with moderate income sites being capped at a density of 100 units per acre. This does not apply to housing elements due before January 1, 2022.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Debt collectors: licensing and regulation: Debt Collection Licensing Act. SB 908, Ch. 163, Stats. 2020</p> <p>Laws: Amends Sections 1788.11 and 1788.52 of the Civil Code, and to adds Division 25 (commencing with Section 100000) to the Financial Code, relating to debt collectors.</p> <p>Summary: This bill creates a new licensing law applicable to debt collectors and debt buyers, administered by the Department of Business Oversight (DBO), effective January 1, 2022, as specified. Additionally, this bill makes modifications to the requirements for telephone and written communication with a debtor.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Firefighting equipment and foam: PFAS chemicals. SB 1044, Ch. 308, Stats. 2020</p> <p><u>Laws:</u> An act to add Sections 13029, 13061, and 13062 to the Health and Safety Code, relating to fire protection.</p> <p><u>Summary:</u> This bill prohibits the manufacture, sale, distribution, and use of class B firefighting foam containing per- and polyfluoroalkyl substances (PFAS chemicals) by January 1, 2022, with some exceptions, and requires notification of the presence of PFAS in the protective equipment of firefighters.</p> <p>The bill further requires the seller and the purchaser to retain a copy of the written notice on file for at least 3 years and to furnish the notice and associated sales documentation to the Attorney General, a city attorney, a county counsel, or a district attorney within 60 days upon request, as provided. The bill would authorize the Attorney General, a city attorney, a county counsel, or a district attorney to request from a manufacturer, and the bill would require the manufacturer to provide, a certificate of compliance that certifies that the manufacturer is in compliance with these provisions. The bill would provide that a violation of these requirements is punishable by a specified civil penalty upon an action brought by the Attorney General, a city attorney, a county counsel, or a district attorney.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Department of Housing and Community Development:</p> <p>California Statewide Housing Plan: annual reports. AB 68, Ch. 341</p> <p><u>Laws:</u> An act to add Section 50408.1 to, to add Chapter 1.5 (commencing with Section 50420) to Part 2 of Division 31 of, and to repeal Sections 50450, 50451, 50452, 50453, and 50454 of, the Health and Safety Code, relating to housing.</p> <p><u>Summary:</u> This bill revises and modernizes the quadrennial Statewide Housing Plan (Plan) and expands the requirements of the annual report from the Department of Housing and Community Development (HCD).</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Housing.</p> <p>AB 140, Ch. 111</p> <p>Laws: Amends Section 14671.2 of, adds Section 12334 to, the Government Code, amends Sections 37001, 50216, 50217, 50220.6, 50221, 50675.1, and 53559 of, adds Sections 50218.6, 50218.7, 50220.7, 50220.8, 50223, 50675.1.3, and 53559.3 to, adds Chapter 7 (commencing with Section 50250) and Chapter 8 (commencing with Section 50255) to Part 1 of, adds Chapter 3.15 (commencing with Section 50515.06), Chapter 5.5 (commencing with Section 50606), Chapter 6.6 (commencing with Section 50672), Chapter 8.2 (commencing with Section 50704.80), and Chapter 8.6 (commencing with Section 50720) to Part 2 of, Division 31 of, adds and repeals Section 50675.1.4 of, the Health and Safety Code, adds Section 1785 to the Labor Code, adds Sections 8257.1 and 8257.2 to the Welfare and Institutions Code, relating to housing, to take effect immediately.</p> <p>Summary: This bill provides for several statutory changes necessary to implement the housing and homelessness provisions of the Budget Act of 2021.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>URGENCY OPERATIVE 07/19/21</p> <p>Robyn Bullington</p>
--	---

<p>Budget Act of 2021: Department of Cannabis Control: licensure: safety and quality assurance.</p> <p style="text-align: right;">AB 141, Ch. 70</p> <p>Laws: Amend Sections 27, 101, 144, 26001, 26010, 26010.5, 26011, 26011.5, 26012, 26013, 26013.5, 26014, 26015, 26016, 26017, 26018, 26030, 26031, 26031.5, 26034, 26035, 26038, 26041, 26043, 26044, 26045, 26046, 26047, 26050, 26050.2, 26051, 26051.5, 26053, 26054, 26055, 26057, 26058, 26060, 26060.1, 26061, 26062, 26063, 26067, 26068, 26069, 26070, 26070.5, 26090, 26100, 26102, 26104, 26110, 26120, 26130, 26140, 26153, 26160, 26161, 26162, 26163, 26180, 26190, 26190.5, 26191, 26200, 26202, 26210, 26210.5, 26211, 26223, 26240, 26242, 26244, 26246, 26248, 26249, and 26260 of, amends and renumbers Sections 26069.1, 26069.5, 26105, 26106, 26121, 26131, 26132, 26133, and 26135 of, to add Sections 26010.7, 26012.5, 26031.01, 26031.1, 26031.2, 26037.5, and 26153.1 to, repeals Sections 26001.1, 26054.2, 26069.9, and 26134 of, the Business and Professions Code, amends Sections 1602 and 12029 of the Fish and Game Code, amends Sections 52452 and 81006 of the Food and Agricultural Code, amends Sections 9147.7, 11041, and 20391 of the Government Code, amends Section 11474 of the Health and Safety Code, amends Sections 830.2, 830.11, 30625, and 32000 of the Penal Code, amends Sections 6414, 34010, 34011, 34012, and 34019 of, adds Section 34012.2 to, the Revenue and Taxation Code, and amends Section 13149 of the Water Code, relating to cannabis, and making an appropriation therefor, to take effect immediately.</p> <p>Summary: This is the cannabis trailer bill and contains the necessary changes related to the 2021 Budget Act. The bill consolidates the state licensing agencies into the Department of Cannabis Control and transfers all necessary powers to the new department. This bill also makes a number of changes to the Medicinal and Adult-Use Cannabis Regulation and Safety Act, including conforming changes for the new department.</p> <p>Court Impact: <i>Informational only.</i></p>	<p style="text-align: center;">URGENCY OPERATIVE 07/12/21</p> <p style="text-align: center;">Robyn Bullington</p>
<p>Civil actions: statute of limitations.</p> <p style="text-align: right;">AB 287, Ch. 264</p> <p>Laws: An act to amend Section 338 of the Code of Civil Procedure, relating to civil actions.</p> <p>Summary: This bill creates a three-year statute of limitations on civil actions for violations arising from a person engaging in unlicensed cannabis activities, extending the current one-year statute of limitations.</p> <p>Court Impact: <i>Informational only.</i></p>	<p style="text-align: center;">Robyn Bullington</p>

<p>Debt collection: identity theft. AB 430, Ch. 265</p> <p><u>Laws:</u> An act to amend Sections 1788.18, 1788.61, 1798.92, and 1798.93 of the Civil Code, and to amend Section 530.8 of the Penal Code, relating to debt collection.</p> <p><u>Summary:</u> Authorizes the use of a Federal Trade Commission (FTC) identity theft report, in lieu of a police report, when a person who is the victim of identity theft is seeking to stop debt collections; obtain a civil judgment; or obtain information about an authorized account that was opened in an unauthorized manner.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Amy Malone</p>
<p>Securities transactions: qualification requirements, exemptions, and liability. AB 511, Ch. 617</p> <p><u>Laws:</u> An act to amend Sections 25102, 25501, 25503, and 25608 of the Corporations Code, relating to securities.</p> <p><u>Summary:</u> Establishes a new exemption from the qualification provisions for an offer or sale of any security for which the issuer is a California or foreign corporation that is not a “blind pool” company, is not issuing fractional undivided interests in oil or gas rights or other similar mineral rights, is not an investment company subject to the federal Investment Company Act of 1940, and is not subject to certain reporting requirements of the Securities Exchange Act of 1934. Requires that the offer or sale be conducted in accordance with certain requirements of federal law, except as provided, and that the issuer file a notice of transaction at least 15 days prior to the publication of an initial offer of these securities.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Injunctions: undertakings: civil actions: distribution of sexually explicit materials. AB 514, Ch. 518</p> <p><u>Laws:</u> An act to amend Section 1708.85 of the Civil Code, and to amend Section 529 of the Code of Civil Procedure, relating to civil law.</p> <p><u>Summary:</u> This bill exempts a person who is a victim of the distribution of sexually explicit material from the undertaking requirement when granted an injunction and makes additional changes to the statute that establish liability for the distribution of sexually explicit materials. Specifically, this bill:</p> <ol style="list-style-type: none"> 1. Exempts a person who is a victim of the distribution of sexually explicit material from the requirement to make an undertaking, or post a bond, when an injunction to stop the distribution of such material is granted by the court; 2. Amends the knowledge threshold in one of the elements to establish liability from the defendant “knew” to “knew, or reasonably should have known” that the person depicted in the material had a reasonable expectation that the material would remain private; 3. Provides that a defendant who distributes sexually explicit material that was previously distributed by another person could be liable for the redistribution of such material if the plaintiff serves a notice on the defendant, by certified mail, to stop the distribution and the defendant failed to within 20 days of receiving the notice. <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Amy Malone</p>
<p>Density Bonus Law: affordability restrictions. AB 634, Ch. 348</p> <p><u>Laws:</u> An act to add Section 65915.2 to the Government Code, relating to housing.</p> <p><u>Summary:</u> Allows local governments to require an affordability period longer than 55 years for units that qualify a developer for a density bonus, if the local government has an inclusionary housing ordinance that requires a percentage of residential units affordable to lower income households for longer than 55 years. Excludes developments funded using Low Income Housing Tax Credits.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Endowment care cemeteries: examination, investigation, and discipline. AB 651, Ch. 442</p> <p><u>Laws:</u> An act to amend Sections 7612.11, 7613.1, and 7653.9 of, and to add Section 7688 to, the Business and Professions Code, and to amend, repeal, and add Section 8738 of the Health and Safety Code, relating to cemeteries.</p> <p><u>Summary:</u> Over a 3-year period, increases the minimum amounts for each plot sold or disposed of that an endowment care cemetery is required to deposit in its endowment care trust fund. Requires the Cemetery and Funeral Bureau (Bureau) to conduct a study of cemetery endowment care funds by January 1, 2029. Authorizes a county to assume maintenance responsibility of an abandoned cemetery. Directs the Bureau to examine the endowment care fund of a cemetery whenever the Bureau receives a valid complaint alleging financial misconduct or neglect of duties.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Covenants and restrictions: affordable housing. AB 721, Ch. 349</p> <p><u>Laws:</u> An act to add Section 714.6 to the Civil Code, relating to real property.</p> <p><u>Summary:</u> Makes any recorded covenants, conditions, restrictions, or limits on the use of private or publicly owned land contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale that restricts the number, size, or location of the residences that may be built on the property, or that restricts the number of persons or families who may reside on the property, unenforceable against the owner of an affordable housing development, if an approved restrictive covenant affordable housing modification document has been recorded in the public record, unless a specified exception applies.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>California Environmental Quality Act: notices and documents: electronic filing and posting. AB 819, Ch. 97</p> <p><u>Laws:</u> An act to amend Sections 21080.4, 21082.1, 21091, 21092, 21092.2, 21092.3, 21108, 21152, and 21161 of the Public Resources Code, relating to environmental quality.</p> <p><u>Summary:</u> Requires California Environmental Quality Act (CEQA) notices and environmental review documents to be filed electronically and posted online.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Mobilehome parks: rental restrictions: management. AB 861, Ch. 706</p> <p><u>Laws:</u> An act to amend Section 798.23 of the Civil Code, relating to mobilehome parks.</p> <p><u>Summary:</u> Requires mobilehome park management to comply with any park rule or regulation which prohibits mobilehome owners from renting or subleasing unless management is renting or subleasing to an employee. Specifies the number of rentals management may rent to employees, exempts tenancies established before January 1, 2022 as long as the tenant on the rental agreement still occupies the mobilehome, as well as certain other exemptions.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Subsurface installations: attorney’s fees and costs. AB 930, Ch. 173</p> <p><u>Laws:</u> An act to amend Section 4216.7 of the Government Code, relating to excavations.</p> <p><u>Summary:</u> Requires a court or arbitrator to award reasonable attorney’s costs and fees, including expert witness fees, to an excavator if the court or arbitrator determines that the excavator is not liable for damages to a subsurface installation for reasons related to inaccurate field marking, as specified, or if the excavator makes an offer to settle the matter that is not accepted and the plaintiff fails to obtain a more favorable judgment or award. Corrects an erroneous cross-reference within these provisions.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Mobilehome parks: rent caps. AB 978, Ch. 125</p> <p><u>Laws:</u> An act to amend Sections 1946.2 and 1947.12 of, and to add and repeal Section 798.30.5 of, the Civil Code, relating to mobilehomes.</p> <p><u>Summary:</u> Requires a court or arbitrator to award reasonable attorney’s costs and fees, including expert witness fees, to an excavator if the court or arbitrator determines that the excavator is not liable for damages to a subsurface installation for reasons related to inaccurate field marking, as specified, or if the excavator makes an offer to settle the matter that is not accepted and the plaintiff fails to obtain a more favorable judgment or award. Corrects an erroneous cross-reference within these provisions.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Health care debt and fair billing. AB 1020, Ch. 473</p> <p>Laws: An act to amend Sections 1788.14, 1788.52, and 1788.58 of, and to add Section 1788.185 to, the Civil Code, and to amend Sections 127400, 127401, 127405, 127410, 127420, 127425, 127435, 127440, and 127444 of, and to add Section 127436 to, the Health and Safety Code, relating to health care.</p> <p>Summary: This bill requires that uninsured patients or patients with high medical costs who are at or below 400% of the federal poverty level be eligible for charity care or discount payments from a hospital, and would authorize a hospital to grant eligibility for charity care or discount payments to patients with incomes over 400% of the federal poverty level. The bill redefines “high medical costs” to include annual out-of-pocket costs at the hospital that exceed the lesser of 10% of the patient’s current family income or family income in the prior 12 months. The bill would require a hospital to prominently display a notice of the hospital’s policy for financially qualified and self-pay patients on the hospital’s internet website with a link to the policy itself. The bill would also make related technical changes. This bill further prohibits a hospital from selling patient debt to a debt buyer, unless certain conditions are met, including that the hospital has found the patient ineligible for financial assistance or the patient has not responded to attempts to collect, or offer financial assistance for 180 days. The bill requires a hospital to send a notice to a patient with specified information, including an application for the hospital’s charity care and financial assistance, before assigning a bill to collections, or selling patient debt to a debt buyer. It further prevents a debt collector or debt buyer from collecting consumer debt that originated with a hospital without including in the first written communication to the debtor specified information. The bill prohibits debt collection before 180 days after the initial billing, regardless of the patient’s financial status. The bill requires a hospital to provide the Department of Health Care Access and Information with a copy of its debt collection policy. The bill further requires the department to review a policy, as well as the hospital’s discount payment policy and charity care policy, available on the department’s website. The bill requires an appeals process by regulation and requires a complaint in an action brought by a debt collector for a general acute care hospital debt to allege specified facts and to be accompanied by copies of the application for, and notice from the hospital regarding financial assistance. The bill would require a hospital to refund a patient any overpayments within 30 days. Existing law requires a hospital to comply with the above provisions as a condition of licensure. This bill eliminates that provision. This bill incorporates additional changes to Section 127410 of the Health and Safety Code passed by AB 532.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Jamie Newbold</p>
---	----------------------

<p>California Family Rights Act: parent-in-law: small employer family leave mediation: pilot program. AB 1033, Ch. 327</p> <p><u>Laws:</u> An act to amend Sections 12945.2 and 12945.21 of the Government Code, relating to employment.</p> <p><u>Summary:</u> Clarifies and defines notice provisions of the small employer family leave mediation pilot program process and department employees of small employers are address disputes related to protected leave under the California Family Rights Act (CFRA).</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Sexual assault by law enforcement officers: actions against public entities: statute of limitations. AB 1455, Ch. 595</p> <p><u>Laws:</u> An act to add Section 945.9 to the Government Code, relating to claims against public entities.</p> <p><u>Summary:</u> This bill exempts a claim of sexual assault by a law enforcement officer on adults from the time limits otherwise imposed by the Government Tort Claims Act. The bill requires the claim to be commenced within the later of either of 10 years after the date of judgment against a law enforcement officer in a criminal case for a crime of sexual assault or a judgment against a law enforcement officer for a different crime if a crime of sexual assault was alleged and the crime for which there was a judgment against a law enforcement officer arose out of the same set of operative facts as the allegation of sexual assault in the present claim or 10 years after the law enforcement officer is no longer employed by the law enforcement agency that employed the officer when the alleged assault occurred. The bill also revives a claim to recover damages under certain circumstances.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Insurance: omnibus. AB 1511, Ch. 627</p> <p>Laws: An act to amend Sections 676.8, 678, 1656.1, 1656.2, 1668, 1668.5, 1871.2, 10103.7, 10168.25, 10271, 10271.1, 10273.6, 10295, 11797, 12921.2, 12928.6, 14050, 14052, 14062, and 15040 of, to amend, repeal, and add Section 1210 of, and to add Section 1871.10 to, the Insurance Code, relating to insurance.</p> <p>Summary: This bill:</p> <ul style="list-style-type: none"> • Provides, on and after July 1, 2022, mailing requirements and extended response time periods apply to a timely offer of renewal or notice of nonrenewal of a residential property insurance policy. • Adds flexibility to the leeway law, which governs how insurers may make certain investments, in order to encourage insurers to make more California Organized Investment Network (COIN) qualified investments. These include investments in renewable energy and community development. • Authorizes similar diversification of State Compensation Insurance Fund (State Fund) investments until January 1, 2027, by authorizing limited discretionary authority to make Environmental, Social, or Governance investments in line with existing authorities for other insurers, specifically in properties and securities, and money market mutual funds. • Allows the commissioner to deny an application for a production agency license, or suspend or revoke a permanent license, if the applicant or controlling person has been found liable by clear and convincing evidence in a civil action involving allegations of elder or dependent abuse, oppression, fraud, malice, misappropriation or conversion of funds, misrepresentation, or breach of fiduciary duty. • Specifies that making a knowingly false or fraudulent material statement or representation to obtain or amend an insurance policy is unlawful and is punishable by a fine not to exceed \$10,000 or imprisonment not to exceed one year. • Excludes a life insurance contract provision providing a terminal illness benefit from disability insurance policy requirements. Defines “terminal illness benefit” as a provision, endorsement, or rider added to a life insurance policy that provides for the advance payment of any part of the death proceeds, payable upon the occurrence of a terminal illness. • Eliminates the reference to a California Department of Insurance (CDI) office in San Francisco and instead refers to the office in the City of Oakland. • Allows the commissioner of CDI to apply to the clerk of the superior court for a judgment to enforce an order requiring a person to pay a monetary penalty or reimburse CDI for its prosecutorial costs for violating the Insurance Code. • Makes changes to surety bond requirements. <p>Court Impact: <i>Informational only.</i></p>	<p>Adriana Anzalone</p>
--	-------------------------

<p>Enforcement of money judgments: examination. AB 1580, Ch. 30</p> <p><u>Laws:</u> An act to amend Section 708.150 of the Code of Civil Procedure, relating to civil actions.</p> <p><u>Summary:</u> Existing law authorizes a judgment creditor seeking to enforce a money judgment to apply to the court for an order requiring the judgment debtor to appear for an examination to furnish information to aid in the enforcement of the money judgment. Existing law requires a corporation, partnership, association, trust, limited liability company, or other organization served with an order to appear for an examination to designate one or more persons who are familiar with its property and debts to appear, unless the order requires the appearance of a specified person, in which case that person is required to appear. This bill deems an order to appear to have been made to, and required the appearance of, the person specified in the named organization’s most recent filing with the Secretary of State if an organization served with an order to appear for an examination fails to designate a person to appear. Or, if the organization is not registered with the Secretary of State or its filings do not identify a natural person, a natural person identified by the judgment creditor as being familiar with the property and debts of the organization will be deemed as the person to have been ordered to appear.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Jamie Newbold</p>
<p>Housing omnibus. AB 1584, Ch. 360</p> <p><u>Laws:</u> An act to amend Sections 798.56, 2924.15, and 4741 of, and to add Section 714.3 to, the Civil Code, to amend Section 1161.2 of the Code of Civil Procedure, to amend Sections 65589.5, 65651, 65863.10, and 65863.11 of the Government Code, and to amend Section 18214 of, and to add Section 34178.8 to, the Health and Safety Code, relating to housing.</p> <p><u>Summary:</u> This bill makes non-controversial changes to sections of law relating to housing and community development. Specifically:</p> <p>Accessory Dwelling Unit (ADU) Clean-up. Clarifies that the provisions of AB 670, Chapter 178, Statutes 2019 which void CC&Rs that unreasonably restrict or prohibit ADU construction also apply to common interest developments that do not have an undivided interest in a common area.</p> <p>Corrects chaptering errors. Last year AB 3088, Chapter 37, Statutes of 2020, chaptered out provisions in AB 2782, Chapter 35, Statutes of 2020 amending Civil Code Section 798.56 and provisions in AB 3364, Chapter 36, Statutes of 2020 amending Code of Civil Procedure Section 1161.2. These provisions correct those errors.</p> <p>Technical fix to Homeowner Bill of Rights (HBOR). AB 3088, Chapter 37, Statutes of 2020, included provisions from the July 27, 2020, version of SB 1447, Chapter 41, Statutes of 2020, which extended HBOR protections to small landlords. However, SB 1447 of 2020 was later amended to include a technical "saving clause" fix that ensures HBOR protections can be accessed if an application is pending prior to the sunset date. A drafting error led to an inclusion of the outdated HBOR language. These sections fix the error.</p>	<p>Adriana Anzalone</p>

Updating CID governing documents. AB 3182, Chapter 198, Statutes of 2020 required common interest developments (CIDs) to allow at least 25% of units to be rented or leased. CID governing documents may need to be amended and such changes typically require a membership vote. However, the Legislature has authorized certain governing document amendments to be made through a vote by the board of directors if certain conditions are met. This section allows such a procedure to be used in order for CIDs to update their government documents accordingly.

Clarifying the interaction between the Housing Accountability Act and Density Bonus Law. The Housing Accountability Act (HAA) provides that a density bonus does not make a development inconsistent with zoning or local standards. HCD clarified HAA guidance which notes that a density bonus includes any incentives, concessions, or waivers to development standards allowed under Density Bonus Law, irrespective of whether there is an increase in density. The provisions in this section clarify the statute.

Clarifying affordable rent under AB 2162. AB 2162, Chapter 753, Statutes of 2018 streamlined approvals for certain supportive housing projects. The units are subject to a recorded affordability restriction for 55 years, but the statute currently doesn't define the affordable rent limits, which is leading to some confusion at the local level. This language clarifies how affordable rents are determined in such projects.

Technical Corrections to Preservation Notice Law. AB 1521, Chapter 377, Statutes of 2017 revised the Preservation Notice Law which requires affordable housing owners to give notice and an opportunity to purchase before possible conversion to market rate. This bill includes clean-up and clarification of various provisions.

Basing the Preservation Notice Law annual report on fiscal years. This section bases the report data for Preservation Notice Law on fiscal year data, as opposed to calendar year data and allows HCD to combine the preservation report with its general annual report.

Clarifying ADU and Mobilehome Park Definitions. A manufactured home built consistent with HSC 18007 can be considered an ADU if it meets specified requirements. Yet, if two or more manufactured homes are installed as ADU's on "any area or tract of land," by definition, that land becomes a mobilehome park under HSC 18214. This section clarifies that a two or more manufactured homes installed as ADUs do not constitute a mobilehome park.

Housing Priority and Redevelopment Displacement. Updates the statute providing eligible Individuals displaced by redevelopment agencies with priority for housing. Moves the code section to one pertaining to successor agencies and updates eligibility to all descendants.

Chaptering out with SB 8 of the current legislative session. These sections include chaptering out amendments to address the fact that both AB 1584 and SB 8 propose changes to Government Code Section 65589.5.

Mandate disclaimer. States that if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made as specified.

Court Impact: *Informational only.*

<p>Peace officers: certification: civil rights. SB 2, Ch. 409</p> <p><u>Laws:</u> An act to amend Section 52.1 of the Civil Code, to amend Section 1029 of the Government Code, and to amend Sections 832.7, 13503, 13506, 13510, 13510.1, and 13512 of, to amend the heading of Article 2 (commencing with Section 13510) of Chapter 1 of Title 4 of Part 4 of, and to add Sections 13509.5, 13509.6, 13510.8, 13510.85, and 13510.9 to, the Penal Code, relating to public employment.</p> <p><u>Summary:</u> This bill (1) grants new powers to the Commission on Peace Officer Standards and Training (POST) to investigate and determine peace officer fitness and to decertify officers who engage in “serious misconduct”; and (2) makes changes to the Bane Civil Rights Act to limit immunity as specified.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Housing Crisis Act of 2019. SB 8, Ch. 161</p> <p><u>Laws:</u> An act to amend Sections 65589.5, 65905.5, 65913.10, 65940, 65941.1, 65943, 65950, 66300, and 66301 of the Government Code, and to amend Section 2 of Chapter 654 of the Statutes of 2019, relating to housing.</p> <p><u>Summary:</u> This bill extends the sunset date on the Housing Crisis Act of 2019 (HCA) by five years, to January 1, 2030, and makes other changes. Also provide that, until January 1, 2034, the HCA’s provisions apply to housing development projects that have submitted an application before January 1, 2030.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Housing development: approvals. SB 9, Ch. 162</p> <p><u>Laws:</u> An act to amend Section 66452.6 of, and to add Sections 65852.21 and 66411.7 to, the Government Code, relating to land use.</p> <p><u>Summary:</u> This bill requires ministerial approval of a housing development of no more than two units in a single-family zone (duplex), the subdivision of a parcel zoned for residential use into two parcels (lot split), or both. This bill states local agencies may grant or deny a housing project and states the reason method and criteria. Also sets a local agency shall require an applicant for an urban lot split to sign an affidavit stating that they intent to occupy one of the housing units as their principle residence for a minimum of three years, unless the applicant is a community land trust or a qualified nonprofit corporation; and removes the sunset.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>California Environmental Quality Act: streamlined judicial review: environmental leadership transit project administration. SB 44, Ch. 633</p> <p><u>Laws:</u> An act to add and repeal Section 21168.6.9 of the Public Resources Code, relating to environmental quality.</p> <p><u>Summary:</u> This bill is enacted to increase public transportation opportunities in Los Angeles County as soon as possible in anticipation of hosting the 2028 Summer Olympic and Paralympic Games. This bill establishes, until January 1, 2025, expedited administrative and judicial review of environmental review and approvals granted for “environmental leadership transit projects” (ELTPs) located within the County of Los Angeles that meet specified requirements.</p> <p><u>Court Impact:</u> <i>Informational – Impacts County of Los Angeles only.</i></p>	<p>Robyn Bullington</p>
<p>Employment: garment manufacturing. SB 62, Ch. 329</p> <p><u>Laws:</u> An act to amend Sections 1174.1, 2670, 2671, 2673, 2673.1, and 2675.5 of, and to add Section 2673.2 to, the Labor Code, relating to employment.</p> <p><u>Summary:</u> This bill expands the definition of garment manufacturing, bars the payment by piece practice establishes the processes, liabilities, and compensatory damages for violations of the law. The bill also establishes the time required to maintain records.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Public resources trailer bill. SB 155, Ch. 258</p> <p>Laws: An act to amend Section 49015 of the Food and Agricultural Code, to amend Sections 11553.5, 63048.92, 63048.93, 63048.94, and 63048.95 of, and to add and repeal Section 12805.9 of, the Government Code, to amend Sections 39719, 43018.9, 44270.3, 44271, 44272, 44272.5, 44273, 116766, 116767, and 116773.4 of, to amend the heading of Article 2 (commencing with Section 44272) of Chapter 8.9 of Part 5 of Division 26 of, and to add Section 44271.5 to, the Health and Safety Code, to amend Sections 5090.15, 42012, 42013, 42014, 42019, 42020, 42023.1, 42023.4, 42024, and 42999 of, to add Sections 5090.42, 21166.2, 31103.1, and 42025 to, to add and repeal Sections 14571.6.1 and 21080.56 of, and to repeal Sections 42011, 42015, 42016, 42017, 42018, and 42021 of, the Public Resources Code, to amend Section 2827.10 of the Public Utilities Code, and to amend Sections 5001, 5101, 5104, and 5202 of the Water Code, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.</p> <p>Summary: This bill is the omnibus Resources budget trailer bill and contains provisions necessary to implement the 2021 Budget Act. As part of the bill projects that conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, habitat upon which they depend or that restore or provide habitat for California native fish and wildlife are exempt from CEQA requirements.</p> <p>Court Impact: <i>Informational only.</i></p>	<p style="text-align: center;">URGENCY OPERATIVE 09/23/21</p> <p style="text-align: center;">Robyn Bullington</p>
<p>Density Bonus Law: qualifications for incentives or concessions: student housing for lower income students: moderate-income persons and families: local government constraints. SB 290, Ch. 340</p> <p>Laws: An act to amend Sections 65400 and 65915 of the Government Code, relating to housing.</p> <p>Summary: This bill makes various changes to Density Bonus Law (DBL), including providing additional benefits to housing developments that include low-income rental and for-sale housing units, and moderate-income for-sale housing units.</p> <p>Court Impact: <i>Informational only.</i></p>	<p style="text-align: center;">Robyn Bullington</p>

<p>Local government: water or sewer service: legal actions. SB 323, Ch. 216</p> <p><u>Laws:</u> An act to add Article 4.7 (commencing with Section 53759) to Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local government.</p> <p><u>Summary:</u> This bill establishes a 120-day statute of limitations for any lawsuit which challenges the approval or modification of any new or existing fee for water or sewer services. Further, the bill requires local agencies to include a statement that water and sewer fee changes have a 120-day statute of limitations in any written notice that is provided regarding a new or modified fee. The 120-day period only applies to fees adopted by local agencies after January 1, 2022.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Amy Malone</p>
<p>Civil liability: prescribed burning operations: gross negligence. SB 332, Ch. 600</p> <p><u>Laws:</u> An act to add Section 3333.8 to the Civil Code, relating to civil liability.</p> <p><u>Summary:</u> In order to meet fuel management goals, the state must rely on private entities to engage in prescribed burning for public benefit. This bill provides that, notwithstanding specified laws, a person certified as a burn boss or a private landowner upon whose property a person certified as a burn boss performs, supervises, or oversees a prescribed burn are not liable for any damage or injury to property or persons that is caused by a prescribed burn that is authorized, as provided, unless the prescribed burn was conducted in a grossly negligent manner.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Joint and several liability of port drayage motor carrier customers: health and safety violations: prior offenders: liability owed to the state. SB 338, Ch. 333</p> <p><u>Laws:</u> An act to amend Section 2810.4 of the Labor Code, relating to private employment.</p> <p><u>Summary:</u> In this bill the Legislature makes findings about California's port drayage industry which employs an estimated 25,000 drivers who move freight between California's ports and distribution centers. This bill seeks to further the laws implemented by SB 1402 in 2018 to combat misclassification of employee status at the ports. Therefore, this bill expands the set of violations that can cause port drayage contractors to be placed on a Division of Labor Standards Enforcement list that extends joint liability for future violations to customers of that contractor.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>End of life. SB 380, Ch. 542</p> <p><u>Laws:</u> An act to amend Sections 443.1, 443.3, 443.4, 443.5, 443.11, 443.14, 443.15, and 443.17 of, and to repeal and add Section 443.215 of, the Health and Safety Code, relating to end of life.</p> <p><u>Summary:</u> This bill extends the January 1, 2026 sunset date of the End of Life Option Act (EOLA) to January 1, 2031; permits an individual to make a second oral request a minimum of 48 hours from the first request for medical aid in dying; eliminates the final attestation form required to be filled out by the qualified individual within 48 hours prior to self-administering the aid-in-dying medication; and requires health care providers who elect not to participate in EOLA to inform a patient and transfer records to another health care provider.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p style="text-align: center;">Robyn Bullington</p>
<p>Civil actions: decedent’s cause of action. SB 447, Ch. 448</p> <p><u>Laws:</u> An act to amend Section 377.34 of the Code of Civil Procedure, relating to civil actions.</p> <p><u>Summary:</u> Existing law provides that a cause of action that survives the death of the person entitled to commence an action or proceeding passes to the decedent’s successor in interest and an action may be commenced by the decedent’s personal representative or, if none, successor in interest. Existing law limits the damages recoverable in that action to the loss or damage that the decedent sustained or incurred before death, including any penalties or punitive or exemplary damages that the decedent would have been entitled to had the decedent lived. Existing law prohibits the recovery of damages for the decedent’s pain and suffering, or disfigurement in that action. This bill permits damages for a decedent’s pain, suffering, or disfigurement to be recovered in an action brought by the decedent’s personal representative or successor in interest if the action was granted preference, pursuant to Section 36 of the Code of Civil Procedure, before January 1, 2022, or was filed on or after January 1, 2022, and before January 1, 2026. The bill requires a plaintiff who recovers damages for pain, suffering, or disfigurement between the specified dates to submit a copy of the judgment, consent judgment, or court-approved settlement agreement entitling the plaintiff to the damages and a cover sheet containing certain information to the Judicial Council. The bill further requires the Judicial Council to transmit a report detailing this information to the Legislature.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p style="text-align: center;">Civil and Probate Impact</p> <p style="text-align: center;">Jamie Newbold</p>

<p>Claims against public entities. SB 501, Ch. 218</p> <p><u>Laws:</u> An act to amend Sections 911.6 and 946.6 of the Government Code, relating to governmental liability.</p> <p><u>Summary:</u> Extends the conditions under which certain injured parties who are minors or who are physically or mentally incapacitated are entitled to have their applications to file untimely claims against public entities granted. Specifically, this bill provides that where a person is a minor or incapacitated during any of the six-month period, the person's application to file an untimely claim must be granted if it is presented within six months of the person no longer being a minor or incapacitated, or within one year after the claim accrues, whichever occurs first.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Voting: ballots and signature verification. SB 503, Ch. 319</p> <p><u>Laws:</u> An act to amend Sections 2194, 3019, 3026, and 15104 of, and to add Section 15377 to, the Elections Code, relating to voting.</p> <p><u>Summary:</u> This bill adds additional parameters for county elections officials when comparing a voter's signature on materials related to vote by mail (VBM) ballots with the signature in the voter's registration record, as specified. The bill also provides additional duties for the Secretary of State (SOS) when evaluating the signature verification process for voters who are either missing a signature or have a non-comparing signature when voting via a VBM ballot.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Consumer debt. SB 531, Ch. 455</p> <p><u>Laws:</u> An act to add Section 1788.14.5 to the Civil Code, relating to consumer debt.</p> <p><u>Summary:</u> Requires specified notices to be provided to debtors in connection with the sale or assignment of delinquent consumer debt. Establishes certain documentation requirements for debt collectors and provides a right to request specified information from those collecting on sold or assigned delinquent debt. Operative on July 1, 2022.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Labor-related liabilities: direct contractor. SB 727, Ch. 338</p> <p><u>Laws:</u> An act to amend Section 218.7 of, and to add Section 218.8 to, the Labor Code, relating to employment.</p> <p><u>Summary:</u> This bill expands existing direct contractor liability to include liquidated damages and penalties in circumstances where the direct contractor fails to meet payroll monitoring and corrective action requirements, as specified. Sets requirements on Labor Commissioner notifications.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>
<p>Contracts. SB 762, Ch. 222</p> <p><u>Laws:</u> An act to add Section 1657.1 to the Civil Code, and to amend Sections 1281.97 and 1281.98 of the Code of Civil Procedure, relating to contracts.</p> <p><u>Summary:</u> This bill requires arbitration providers in consumer or employee arbitrations to send invoices, at specified times and setting forth amounts due and due dates, for costs and fees required to be paid by the business or employer who drafted the contract. This bill seeks to close the gap in current law by establishing clear guidelines for when an arbitrator must send an invoice, as well as requiring the invoice to contain the total amount due and the due date. This bill further provides that, where an arbitration agreement does not establish a time frame for paying an arbitration invoice, the payment is due upon receipt. Additionally, to avoid the reported problem of one-sided payment extensions and extension-related delays, this bill requires all parties to an arbitration to agree before agreeing to a payment extension.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Robyn Bullington</p>

<p>Enforcement of civil rights: Department of Fair Employment and Housing. SB 807, Ch. 278</p> <p>Laws: An act to amend Sections 12930, 12946, 12960, 12961, 12962, 12963.5, 12965, 12981, and 12989.1 of the Government Code, relating to civil rights.</p> <p>Summary: This bill authorizes DFEH and a party under DFEH investigation to appeal adverse superior court decisions regarding the scope of DFEH’s power to compel cooperation in the investigation within 15 days after the adverse decision. Directs courts to give precedence to the appeal and to make a determination on the appeal as soon as practicable after the notice of appeal is filed. Authorizes courts to award attorney’s fees and costs to the prevailing party in the action, except for a prevailing defendant, unless the court determines that DFEH’s petition was frivolous when filed or that DFEH continued to litigate the matter after it clearly became frivolous.</p> <p>Extends the employer record retention requirement from two to four years with specified extensions when a complaint has been filed and eliminates the State Personnel Board’s exemption from the record retention requirement.</p> <p>Sets forth the deadlines by which complaints for violations of various civil rights laws must be filed with DFEH.</p> <p>Tolls the statute of limitations, including retroactively but without reviving lapsed claims, for filing a civil action based on specified civil rights complaints under investigation by DFEH until:</p> <ul style="list-style-type: none"> ○ DFEH files a civil action for the alleged violation under this part; or ○ One year after the department issues written notice to a complainant that it has closed its investigation without electing to file a civil action for the alleged violation. <p>Authorizes DFEH or counsel for a complainant to serve a verified complaint on the entity alleged to have committed the civil rights violation by any manner specified in the Code of Civil Procedure.</p> <p>Enables DFEH to bring an action to compel cooperation with its discovery demands in any county in which the department’s investigation or inquiry takes place, or in the county of the respondent’s residence or principal office.</p> <p>Authorizes DFEH to bring a civil action to enforce the civil rights laws under its mandate in any county where: (a) DFEH has an office; (b) The unlawful practices are alleged to have been committed; (c) Records relevant to the alleged unlawful practices are maintained and administered; (d) The complainant would have worked or had access to public accommodation but for the alleged unlawful practice; or (e) The defendant’s residence or principal office is located.</p>	<p>Adriana Anzalone</p>
--	-------------------------

<p>Authorizes DFEH to bring a civil action in any county to enforce the civil rights laws under its mandate if the civil action includes class or group allegations on behalf of DFEH.</p> <p>Tolls the statute of limitations for DFEH to file civil actions based on the civil rights laws under its mandate for the duration of any voluntary or mandatory referral to DFEH’s mediation program.</p> <p>Clarifies that, for any employment discrimination complaint treated by DFEH as a class or group complaint, DFEH must issue a right-to-sue notice upon completion of its investigation, and not later than two years after the filing of the complaint.</p> <p>Removes a provision prohibiting a complainant from commencing a civil action with respect to an alleged discriminatory housing practice that forms the basis of a civil action brought by the department.</p> <p>Reorganizes existing provisions and makes other technical, non-substantive changes.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	
---	--

CIVIL PENALTY BILLS	NOTES
<p>Unlawful cannabis activity: civil enforcement. AB 1138, Ch. 530</p> <p><u>Laws:</u> An act to amend Section 26038 of the Business and Professions Code, relating to cannabis, and making an appropriation therefor.</p> <p><u>Summary:</u> Imposes a civil penalty on persons aiding and abetting unlicensed commercial cannabis activity of up to 3 times the amount of the license fee for each violation, up to \$30,000 for each violation. Requires a court to consider whether, and to what extent, the licensee or person profited from the unlicensed cannabis activity when considering the appropriateness of the amount of the civil penalty. Requires the action for civil penalties to be brought within three years from the date of the violation.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	
<p>Debt settlement practices. AB 1405, Ch. 454</p> <p><u>Laws:</u> An act to add Title 1.6C.17 (commencing with Section 1788.300) to Part 4 of Division 3 of the Civil Code, relating to consumer debt.</p> <p><u>Summary:</u> This bill establishes the Fair Debt Settlement Practices Act. A “debt settlement provider” is specifically defined. The bill defines a "debt settlement provider", sets forth required contract terms, discusses the legal process consumers can request, and penalties that can be ordered.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	
<p>Unfair Competition Law: enforcement. SB 461, Ch. 140</p> <p><u>Laws:</u> An act to amend Sections 17204, 17206, and 17207 of the Business and Professions Code, relating to business.</p> <p><u>Summary:</u> Authorizes the county counsel (CC) of any county of a city with a population in excess of 750,000 people to bring actions under the Unfair Competition Law (UCL). CC may file for injunctive relief, civil penalties as defined by the bill.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	

Criminal Procedure	Notes
<p align="center">Legislation From the 2019 Session with a delayed operative date</p>	
<p>Vehicles: driving under the influence. AB 397, Ch. 610, Stats. 2019</p> <p><u>Laws:</u> Amends Section 23222 of, and adds Section 23155 to, the Vehicle Code.</p> <p><u>Summary:</u> Commencing January 1, 2022, this bill requires that when a disposition described in Section 13151 of the Penal Code is a conviction for a violation of subdivision (f) of Section 23152 or subdivision (f) of Section 23153 for which cannabis was the sole drug, the disposition report shall state that the convicted offense was due to cannabis.</p> <p><u>Court Impact:</u> <i>Courts will have to identify a way to capture convictions for violations of subdivision (f) of Section 23152 or subdivision (f) of Section 23153 and indicate they are solely related to cannabis in order to comply with the new reporting requirements. Further, courts will have to work with DMV and DOJ to ensure they are able to successfully transmit that data in a form that is acceptable. Business processes will need to be developed and implemented. Case management systems will likely need to be updated to capture and report the data, as appropriate.</i></p>	<p align="center">From 2019 New Laws Operative 01/01/2022</p> <p align="center">Jodi Leveque</p>

Criminal records: automatic relief.

AB 1076, Ch. 578, Stats. 2019

Laws: Amends §480, 480.2, and 11345.2 of the Business and Professions Code, §432.7 of the Labor Code, and §11105 of the Penal Code, adds §851.93 and 1203.425 to the Penal Code and amends §13555 of the Vehicle Code.

Summary: This bill requires the CA DOJ to review records on a monthly basis and grant relief to those eligible by having their arrest records or their criminal conviction records, withheld from disclosure, as specified, without requiring a petition or motion. CA DOJ is also required to electronically submit a notice to the Superior Court having jurisdiction over the criminal case, informing the court of all cases for which relief was granted. Superior Courts then cannot disclose any information concerning a conviction granted relief pursuant to this Section or Penal Code Section 1203.4, 1204.4a, 1203.41, or 1203.42, to any person, in any format, except for the person whose conviction was granted relief or a criminal justice agency. The bill would authorize the prosecuting attorney or probation department, no later than 90 calendar days before the date of a person’s eligibility for relief, to file a petition to prohibit the department from granting automatic relief for criminal conviction records as described above. This 'automatic record clearance' commences August 1, 2022 and is subject to an appropriation in the annual Budget Act. This bill also requires the court, at the time of sentencing on or after July 1, 2022, to advise each defendant of their right to conviction relief pursuant to the provisions of this bill, as specified. Delayed implementation to July 1, 2022 and dependent on new funding (see SECs 12 and 16 of SB 118; amended Penal Code Sections 851-93 and 1203.425).

Court Impact: *Notify Judicial Officers and courtroom staff of new advisal requirement at time of sentencing, on or after 7/1/22. Courts may need to configure a new minute code to reflect that the defendant has been advised of the right to conviction relief.*

Courts may implement procedures for processing and calendar management of new Petitions to Prohibit Automatic Relief filed by the prosecutor. New event codes and minute codes may need to be added to CMS for the Petition and Ruling, as well as new Disposition Codes configured to differentiate from existing procedures, as needed.

Additionally, court technologists may consider how to retrieve and consume DOJ's monthly notification of cases that have been cleared. Courts will need to update their cases with the appropriate subsequent action disposition and process according to new court procedures.

Please note: *Delayed implementation to July 1, 2022 and dependent on new funding (see SECs 12 and 16 of SB 118; amended Penal Code Sections 851-93 and 1203.425).*

**From 2019 New Laws
Operative 07/01/2022**

Suzanne Schleder

Juries: peremptory challenges.

AB 3070, Ch. 318, Stats. 2020

Laws: An act to add, repeal, and add Section 231.7 of the Code of Civil Procedure, relating to juries.

Summary: Code of Civil Procedure Section 231.7 is added to state for all jury trials in which jury selection begins on or after January 1, 2022, that a party shall be prohibited from using a peremptory challenge to remove a prospective juror on the basis of the prospective juror’s race, ethnicity, gender, gender identity, sexual orientation, national origin, or religious affiliation, or the perceived membership of the prospective juror in any of those groups.

A party, or the trial court on its own motion, may object to the use of a peremptory challenge based on these criteria. Upon objection, the party exercising the challenge shall be required to state the reasons the peremptory challenge has been exercised. The Court is required to evaluate the reasons given, as specified, and, if the Court grants the objection, the Court is authorized to take certain actions, including, but not limited to, starting a new jury selection, declaring a mistrial at the request of the objecting party, seating the challenged juror, or providing another remedy as the court deems appropriate. The court shall state the reasoning for its ruling on the record. The denial of an objection is subject to de novo review by an appellate court.

Until January 1, 2026, these provisions do not apply to civil cases.

Court Impact: *Inform the bench officers of changes in the law. The courtroom clerk staff need to be aware of the changes so that they can develop a procedure for capturing the objections in their minutes for entry into their Case Management System.*

**From 2020 New Laws
Operative 07/01/2022**

Sarah Lind

Legislation From the 2021 Session	
<p>Criminal procedure.</p> <p>AB 124, Ch. 695</p> <p>Laws: An act to amend Sections 236.23 and 1170 of, and to add Sections 236.15, 236.24, and 1016.7 to, the Penal Code, relating to criminal procedure.</p> <p>Summary: This bill requires courts to consider whether specified trauma to the defendant or other circumstances contributed to the commission of the offense when making sentencing and resentencing determinations and to expand access to vacatur relief and the affirmative defense of coercion currently available to victims of human trafficking to victims of intimate partner violence and sexual violence.</p> <p>Currently, when a judgment of imprisonment is imposed and specifies three possible terms, the court is to impose the middle term unless there are circumstances in aggravation or mitigation of the crime. This bill, as of January 1, 2022, requires the court to impose the lower term if the person has experienced psychological, physical, or childhood trauma, was a youth, as defined, at the time of the commission of the offense, or was a victim of intimate partner violence or human trafficking, unless the aggravating circumstances outweigh the mitigating circumstances that the imposition of the lower term would be contrary to the interests of justice.</p> <p>Lastly, when resentencing, the court must consider if the defendant has experienced psychological, physical, or childhood trauma, including, but not limited to, abuse, neglect, exploitation, or sexual violence, if the defendant was a victim of intimate partner violence or human trafficking prior to or at the time of the commission of the offense, or if the defendant is a youth or was a youth at the time of the commission of the offense, and whether those circumstances were a contributing factor in the commission of the offense.</p> <p>Court Impact: <i>This is one of a number of bills this legislative cycle that have criminal law impacts. Specifically, this bill adds a new post-judgment motion procedure for domestic/sex victims convicted of crimes. Existing law requires, to receive that relief, that a person establish, by clear and convincing evidence, that the arrest or conviction was the direct result of being a victim of human trafficking. This bill creates similar relief for a person who was arrested or convicted of an offense that was the direct result of being a victim of intimate partner violence or sexual violence.</i></p> <p><i>Creation of Penal Code section 236.15 (in part – please refer to the statute for complete details):</i></p> <p><i>(a) If a person was arrested for or convicted of any nonviolent offense committed while the person was a victim of intimate partner violence or sexual violence, the person may petition the court for vacatur relief of their convictions and arrests under this section. The petitioner shall establish, by clear and convincing evidence, that the arrest or</i></p>	<p>Kelly Sullivan</p>

conviction was the direct result of being a victim of intimate partner violence or sexual violence.

(b) The petition for relief shall be submitted under penalty of perjury and shall describe all of the available grounds and evidence that the petitioner was a victim of intimate partner violence or sexual violence and the arrest or conviction of a nonviolent offense was the direct result of being a victim of intimate partner violence or sexual violence.

(c) The petition for relief and supporting documentation shall be served on the state or local prosecutorial agency that obtained the conviction for which vacatur is sought or with jurisdiction over charging decisions with regard to the arrest. The state or local prosecutorial agency shall have 45 days from the date of receipt of service to respond to the petition for relief.

(d) If opposition to the petition is not filed by the applicable state or local prosecutorial agency, the court shall deem the petition unopposed and may grant the petition.

While there is no reliable way to anticipate the number of petitions that will be filed, based on our history with other forms of post-judgment relief, it is reasonable to believe there will be a significant number, depending county size. Courts will have to develop and implement new procedures/processes related to this new form of relief.

In addition to the new post-judgment motion procedure, the court must now impose the lower term, when sentencing, where any of the following was a contributing factor in the commission of the offense, unless the court finds that the aggravating circumstances so far outweigh the mitigating circumstances that imposition of the lower term would be contrary to the interests of justice:

a) The person has experienced psychological, physical, or childhood trauma, including but not limited to abuse, neglect, exploitation, or sexual violence/trauma.

b) The person is a youth, or was a youth (under 26 years of age), as defined, at the time of the commission of the offense; or,

c) Prior to the instant offense, or at the time of the commission of the offense, the person is or was a victim of intimate partner violence or human trafficking.

Arrest warrants: declaration of probable cause.

AB 127, Ch. 20

Laws: An act to amend Section 817 of the Penal Code, relating to arrest warrants.

Sarah Lind

Summary: Penal Code Section 817 is amended to state that before the issuance of an arrest warrant, the judicial officer shall examine a declaration of probable cause made by a peace officer or, when the defendant is a peace officer, an employee of a public prosecutor's office of the state. The declaration shall be a sworn statement made in writing, or the judicial officer may accept an oral statement made under penalty of perjury and recorded and transcribed.

Court Impact: *Inform the bench officers of the change in law. Have processes in place for the processing of the additional declaration(s) as necessary by court operations. Coordinate as necessary with justice partners.*

<p>Health. AB 133, Ch. 143</p> <p><u>Laws:</u> Criminal, Mental Health:</p> <p>SEC.s 343 – 345, 348 - 351, 352, 353, 356 – 360, and 418 of the bill, amended Penal Code §§ 1370, 1370.01, and 1372, amended Welfare and Institutions Code §§ 4100, 4122, 4147, 4335.2, 4361, added WIC Chapter 6.7 (commencing with Section 4361.5) to Part 3 of Division 4, amended WIC §§ 7275, 7276, 7277.1, 7278, 7282, 17601, relating to Felony Mental Health Diversion Expansion, Non-Restorable IST Patients, Reevaluation Services for Felony IST Patients.</p> <p><u>Summary:</u> This bill is an omnibus health trailer bill and makes technical and clarifying statutory revisions impacting health programs necessary to implement the Budget Act of 2021. As related to courts:</p> <p>The bill expands existing department-funded pretrial diversion programs for participants that have been found incompetent to stand trial on a felony charge and suffer from a mental disorder.</p> <p>Penal Code section 1370 is amended as follows:</p> <p>1) As to a defendant who is charged with a felony and is found to be mentally incompetent to stand trial, this bill authorizes the State Department of State Hospitals to conduct a reevaluation on a patient who has been waiting for admission to the department 60 days or more from the date of commitment by video telehealth. The bill would require the county jails to provide the department confidential access to the defendant for evaluation, including establishing and maintaining remote access capabilities at the jail for this purpose.</p> <p>If in the opinion of the department's expert the defendant has regained competence, the court shall proceed as if a certificate of restoration of competence has been returned pursuant to paragraph (1) of subdivision (a) of Section 1372, except that a presumption of competency shall not apply and a hearing shall be held to determine whether competency has been restored. However, if in the opinion of the department's expert, there is no substantial likelihood that the defendant will regain mental competence in the foreseeable future, the defendant shall remain with the county until further order of the court.</p> <p>2) If after an evaluation conducted within 90 days after commitment, a department's expert indicates there is no likelihood the defendant will regain mental competence in the foreseeable future, the custody of the defendant shall be transferred without delay to the committing county and shall remain with the county until further order of the court. The court shall not order the defendant returned to the custody of the State Department of State Hospitals under the same commitment. The committing court shall proceed pursuant to paragraph (3) of subdivision (c) no later than 10 days following receipt of the report.</p>	<p style="text-align: center;">URGENCY EFFECTIVE 07/27/21</p> <p style="text-align: center;">Kelly Sullivan</p>
---	---

3) At the end of two years from the date of commitment or a period of commitment equal to the maximum term of imprisonment provided by law for the most serious offense charged in the information, indictment, or misdemeanor complaint, or the maximum term of imprisonment provided by law for a violation of probation or mandatory supervision, whichever is shorter, but no later than 90 days prior to the expiration of the defendant's term of commitment, a defendant who has not recovered mental competence shall be returned to the committing court, and custody of the defendant shall be transferred without delay to the committing county and shall remain with the county until further order of the court. The court shall not order the defendant returned to the custody of the State Department of State Hospitals under the same commitment. The committing court shall proceed pursuant to paragraph (2) of subdivision (c) no later than 10 days following receipt of the report.

Penal Code 1370.01 is amended to provide that if at any time after the court has declared a defendant incompetent to stand trial pursuant to this section, counsel for the defendant or a jail medical or mental health staff provider provides the court with substantial evidence that the defendant's psychiatric symptoms have changed to such a degree as to create a doubt in the mind of the judge as to the defendant's current mental incompetence, the court may appoint a psychiatrist or a licensed psychologist to opine as to whether the defendant has regained competence. The State Department of State Hospitals may conduct an evaluation of the defendant in county custody pursuant to Section 4335.2 of the Welfare and Institutions Code. If, in the opinion of an expert, the defendant has regained competence, the court shall proceed as if a certificate of restoration of competence has been returned pursuant to paragraph (1) of subdivision (a) of Section 1372, except that a presumption of competency shall not apply and a hearing shall be held to determine whether competency has been restored.

Court Impact: *In light of the changes to PC 1370 & 1370.01, it is likely this will result in defendants being housed in our respective county's local treatment facilities instead of the state hospital, in certain circumstances. This will not have a significant impact on court operations, other than the need to make certain proper arrangements are made for any court appearances at which the defendant would be required to attend. However, it appears we will likely receive a number of petitions from the Department of State Hospitals about having done evaluations and opining a restoration of competence, prompting the court to conduct restoration proceedings pursuant to the new 1370(a)(1)(H)(ii).*

Although AB 133 authorizes the Department of State Hospitals to implement these changes immediately, DSH will not do so until October 1, 2021.

<p>Courts. AB 143, Ch. 79</p> <p>Laws: An act to amend Section 6322.1 of the Business and Professions Code, to amend Sections 68085.1, 68085.3, 68085.4, 68085.45, 68502.6, 68701.5, 68703, 68704, 68752, 68754, 68756, 70371, 70371.7, 70372, 70373, 70374, 70377, 70391, 70395, 70396, 70397, 70617, 70657.5, and 70658 of, to add Section 68701.1 to, to add Article 7 (commencing with Section 68645) to Chapter 2 of Title 8 of, Article 4 (commencing with Section 68770) to Chapter 2.5 of Title 8 of, and Article 7.1 (commencing with Section 70398) to Chapter 5.7 of Title 8 of, to add and repeal Section 29553 of, and to repeal Sections 70371.5, 70371.8, and 70391.7 of, the Government Code, to amend Section 1463.007 of, and to add Section 1428.5 to, the Penal Code, and to amend Sections 40611 and 42007.1 of, and to repeal Chapter 1.5 (commencing with Section 40280) of Article 4 of Division 17 of, the Vehicle Code, relating to courts, and making an appropriation therefor, to take effect immediately, bill related to the budget.</p> <p>Summary: This bill calls for the expansion of the Ability to Pay program to apply statewide to all infraction violations, requires the Judicial Council to implement the online adjudication tool, including Ability to Pay determinations, on a phased schedule and make available statewide by June 30, 2024. Additionally, this bill authorizes courts to recover up to \$35 per non-delinquent installment payment plan ordered and provides backfill funding to the judicial branch for the amount reduced based on ability-to-pay determinations.</p> <p>Court Impact: <i>Requires courts to implement the MyCitations Ability to Pay application by June 2024. Phased implementation schedule begins January 2022 in cohorts of five courts every three months. Courts may also need to implement business processes that allow capture and reporting of required information for backfill requests (total original amount due and original distribution, reduced amount due and reduced (pro rata) distribution for both online and in court requests for ability-to-pay determinations.) Upon implementation, courts may no longer collect the administration fee for non-delinquent payment plans. Courts may wish to review process for non-delinquent payments plans to track up to \$35.00 per payment plan fee recovery with comprehensive collection program.</i></p>	<p>Suzanne Schleder</p>
---	-------------------------

Public safety.

AB 145, Ch. 80

Laws: Criminal:

SEC. 2, 4 of the bill amended Penal Code §§ 851.93 and 1203.425, relating to Retroactive Criminal Records Relief.
 SEC. 3 of the bill added Penal Code § 1170.01, relating to County Resentencing Pilot Program
 SEC. 12 of the bill amended Penal Code § 3042, relating to Board of Parole Hearings Judicial Notification.

Summary: This bill is the Public Safety trailer bill providing for statutory changes necessary to enact public safety related provisions of the Budget Act of 2021. As related to courts:

Collaborative County Resentencing Pilot – Pursuant to newly added Penal Code Section 1170.01, a collaborative resentencing pilot program between District Attorneys’ offices, community-based organizations, and Public Defender offices is established.

Closure of Deuel Vocational Institution - Makes the provisions authorizing the establishment and operation of Deuel Vocational Institution inoperative on October 1, 2021 and repeals those provisions on July 1, 2022.

Expungement Relief - Provides retroactive expungement relief, beginning on July 1, 2022, for individuals that, under current law, get relief prospectively as of January 1, 2021.

Court Impact: *As part of the 2021-22 fiscal year budget package, this bill makes statutory changes to implement the Budget Act. The portions of the bill that we need to take note of are as follows:*

Collaborative County Resentencing Pilot: The impact will be determined by participation in the Collaborative County Resentencing Pilot by justice partners. We may expect a number of 1170.03 (formerly 1170(d)(1) as of January 1, 2022) petitions filed by the District Attorney to recall and resentence certain criminal defendants. How many any District Attorney Offices would be willing to file is indeterminable. Public Defenders around the state are gearing up to apply for grant funds for this effort.

Closure of Deuel Vocational Institution: Informational.

Expungement Relief: The impact will be determined largely by DOJ’s monthly review of its records and could be substantial. This bill expands the persons eligible for a DOJ review and “automatic conviction record relief.” Prior to July 16, 2021, the automatic relief only applied to persons whose conviction occurred on or after January 1, 2021. With AB-145, the reach back now allows for DOJ relief for persons with convictions back to 1973.

URGENCY

OPERATIVE 07/16/21

Kelly Sullivan

<p>Human trafficking: vacatur relief for victims. AB 262, Ch. 193</p> <p><u>Laws:</u> An act to amend Section 236.14 of the Penal Code, relating to human trafficking.</p> <p><u>Summary:</u> Penal Code Section 236.14 is modified to prohibit the Court from refusing to hear a petition for vacatur relief filed by a victim of human trafficking based on the petitioner's outstanding fines and fees, or failure to meet the conditions of probation, for a nonviolent offense.</p> <p>The Court shall stay the collection of the fines imposed, with the exception of any restitution that was ordered, while the petition is pending. The petitioner has the right to appear at all related court proceedings. Additionally, the petition may be made any time after the person has ceased to be a victim of human trafficking or has sought victim services. Additional agencies are now required to seal and destroy arrest records within one year of the date of arrest, or 90 days from the date the court order for vacatur relief is granted; whichever is later. The Court is required to provide petitioner and their counsel with copies of any forms the Court submits to an agency related to the sealing and destruction. The agencies are required to notify petitioner and their counsel of compliance.</p> <p><u>Court Impact:</u> <i>Inform the bench officers of petitioners expanded rights. Develop processes for notification to the government agencies to seal and destroy their records related to these petitions, as well as processes for the Court to seal and destroy the internal records. Develop processes for notification to the petitioner and counsel.</i></p>	<p style="text-align: center;">Sarah Lind</p>
<p>Domestic violence: victims: address confidentiality. AB 277, Ch. 457</p> <p><u>Laws:</u> An act to add Section 6226.5 to the Family Code, and to amend Sections 6206 and 6209.5 of, and to add Section 6209.6 to, the Government Code, relating to domestic violence.</p> <p><u>Summary:</u> Existing law establishes an address confidentiality program for victims of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, commonly known as the Safe at Home program, under which an adult person, or a guardian on behalf of a minor or an incapacitated person, states that they are a victim of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, and designates the Secretary of State as the agent for service of process and receipt of mail. Under existing law, when the Secretary of State certifies the person as a program participant, the person's actual address is confidential.</p> <p><u>Court Impact:</u> <i>As of January 1, 2023, Courts will need to ensure they have the most current program information available, if provided, in the languages specified in Civil Code Section 1632, specifically Spanish, Chinese, Tagalog, Vietnamese, or Korean.</i></p>	<p style="text-align: center;">Criminal & Family Impact</p> <p style="text-align: center;">Kelly Sullivan</p>

Participation in a criminal street gang: enhanced sentence.

AB 333, Ch. 699

Erin Duncan

Laws: An act to amend Section 186.22 of, and to add Section 1109 to, the Penal Code, relating to criminal gangs.

Summary: The purpose of this bill is to 1) redefine the terms “pattern of criminal gang activity” and “criminal street gang” for purposes of the gang offense, enhancement, and alternate penalty under the STEP Act; 2) require bifurcation of gang-related prosecutions from prosecutions that are not gang-related; and remove specified offenses from crimes that qualify for a “pattern of criminal gang activity.”

Existing law, until January 1, 2022, requires the court, when applying the enhancement, to select the sentence that best serves the interests of justice.

Existing law, on and after January 1, 2022, requires the court to instead order the imposition of the middle term of the sentence enhancement, unless there are circumstances in aggravation or mitigation.

This bill extends to January 1, 2023, the requirement that the court select the sentence that best serves the interest of justice.

- Court Impact:**
1. Removes specific charges from the list of crimes that define "pattern of criminal gang activity."
 2. States the currently charged offense shall not be used to establish the pattern of criminal gang activity.
 3. Revises definition of "criminal street gang."
 4. Modifies requirements related to the prosecution's burden of proof.
 5. Requires, effective January 1, 2023: if requested by defense, bifurcation:
 - a. Question of guilt of underlying offense, and
 - b. Question of fact on the question of the truth of the enhancement
 6. Eff. January 1, 2023: requires that a charge for active participation in a criminal street gang be tried separately from all other counts that do not require gang evidence as an element of the crime.
 7. Extends to January 1, 2023, the requirement that the court select the sentence that best serves the interest of justice.

Judicial officers should be informed. Courts should review CMS codes and plea forms, as needed, to determine if modification is necessary.

<p>Criminal law: violations punishable in multiple ways. AB 518, Ch. 441</p> <p><u>Laws:</u> An act to amend Section 654 of the Penal Code, relating to criminal law.</p> <p><u>Summary:</u> This bill amends PC 654 by removing the mandate where an act or omission that is punishable in different ways by different provisions of law must be punished under the provision that provides for the longest potential term of imprisonment, and instead allows for judicial discretion in choosing punishment under either of the provisions, regardless of the term.</p> <p><u>Court Impact:</u> <i>Advise Judicial Officers of the change in the sentencing structure under PC 654.</i></p>	<p>Jodi Leveque</p>
<p>Juveniles: transfer to court of criminal jurisdiction: appeals. AB 624, Ch. 195</p> <p><u>Laws:</u> An act to add Section 801 to the Welfare and Institutions Code, relating to juveniles.</p> <p><u>Summary:</u> This bill makes the order to transfer a minor to a court of criminal jurisdiction subject to appeal. An appeal must be filed within 30 days of the order of transfer and requires the criminal proceeding to be stayed pending ruling on the appeal. The court will retain jurisdiction to modify or lift the stay at the request of the minor.</p> <p><u>Court Impact:</u> <i>The criminal court will need to develop a procedure for staying the criminal case pending resolution of the appeal. Juvenile courts should also have a procedure for reinstating procedures or reopening the Juvenile case should the appeal be successful. Appeals departments should be informed an appeal on the order for transfer should be expedited. The Judicial Council will create rules specific to the appeal of an order to transfer.</i></p>	<p>Juvenile and Criminal Impact</p> <p>Jodi Leveque</p>

Criminal procedure: arraignment and trial.

AB 700, Ch.

Laws: An act to amend Sections 977, 1043, and 1043.5 of the Penal Code, relating to criminal procedure.

Summary: This bill provides that the court may allow a defendant to appear by counsel at a trial, hearing, or other proceeding, with or without a written waiver, if the court finds by clear and convincing evidence, all of the following:

- a) The defendant is in custody and refusing, without good cause, to appear in court for that particular trial, hearing, or other proceeding;
- b) The defendant has been informed of their right and obligation to be personally present in court;
- c) The defendant has been informed that the trial, hearing, or other proceeding will proceed without their personal presence;
- d) The defendant has been informed that they have the right to remain silent during the trial, hearing, or other proceeding;
- e) The defendant has been informed that their absence without good cause will constitute a voluntary waiver of any constitutional or statutory right to confront any witnesses against them or to testify on their own behalf; and,
- f) The defendant has been informed whether or not defense counsel will be present.

The court must state the reasons for its findings on the record and cause those findings and reasons to be entered into the minutes. These findings must be made daily for any proceeding that lasts more than one day. The provisions of this bill do not apply to any proceeding in which the defendant was personally present in court at the commencement of the proceeding, and clarifies that the trial, preliminary hearing or other proceeding shall be deemed to have "commenced in the presence" of a defendant who is in custody and refuses to appear in court, under the above circumstances.

Court Impact: *Judicial officers should be informed. Court should review and modify their CMS to allow the required findings to be entered on minute orders. Rights, video waiver forms and plea forms should be reviewed to determine if modification is necessary.*

Erin Duncan

<p>Criminal records: automatic conviction record relief. AB 898, Ch. 202</p> <p>Laws: An act to amend Sections 1203.425, 1203.9, and 13151 of the Penal Code, relating to criminal records.</p> <p>Summary: This bill amends PC 1203.425 regarding automatic conviction record relief, requiring the Department of Justice to electronically submit notice to both the transferring court and any subsequent receiving court. The electronic notice shall be in a mutually agreed-upon format. This bill also amends PC 1203.9 regarding transfer of probation to another court. The receiving court shall send a receipt of records to the transferring court that includes the new case number, if any. This bill further amends PC 1203.9 by directing that pursuant to PC 13151, the transferring court shall report to the Department of Justice that probation was transferred once the receiving court accepts the transfer. The report shall identify the receiving court and the new case number, if any. The operative version of PC 1203.425 is in Section 4.3 of AB 1281.</p> <p>Court Impact: <i>Court Operations needs to be advised of this new directive. If not already sending the transferring court a receipt of records that includes the new case number, you must start. Courts must also report to DOJ that the case has been transferred and advise of the new case number assigned. Courts must also modify existing business process when reducing a felony to a misdemeanor or dismissing a conviction, to furnish a disposition report to DOJ that includes the original case number and CII number from the transferring court. Transferring Courts must update their records upon notice from DOJ to reflect the reduction or dismissal as well.</i></p>	<p>URGENCY OPERATIVE 07/01/21</p> <p>Jodi Leveque</p>
<p>Supervised persons: release. AB 1228, Ch. 533</p> <p>Laws: An act to amend Section 1203.2 of, and to add Section 1203.25 to, the Penal Code, relating to criminal procedure.</p> <p>Summary: PC 1203.2 is modified to require the court to consider the release of a person on probation from custody in accordance with PC 1203.25 when arrested for a violation of probation, unless serving a period of flash incarceration. PC 1203.25 has been added and states all persons released by a court at or after the initial hearing and prior to a formal probation violation hearing pursuant to PC 1203.2 shall be released on their own recognizance unless the court finds, by clear and convincing evidence, that the particular circumstances require the imposition of an order to provide reasonable protection to the public and reasonable assurance of the person’s future appearance in court. Further, “bail” is defined as cash bail, and the court shall consider the person’s ability to pay cash bail, not a bail bond or property bond. Bail shall be set at a level the person can reasonably afford.</p> <p>Court Impact: <i>Inform Judicial Officers. The court must make specific findings prior to denying release for a person on probation for felony conduct.</i></p>	<p>Jodi Leveque</p>

<p>Criminal procedure: motion to vacate. AB 1259, Ch.</p> <p><u>Laws:</u> An act to amend Section 1473.7 of the Penal Code, relating to criminal procedure.</p> <p><u>Summary:</u> AB 1259 would allow a person who is no longer in criminal custody to seek legal invalidation of a conviction or sentence based on prejudicial error damaging a person’s ability to meaningfully understand, defend against, or knowingly accept the potential adverse immigration consequences of a conviction or sentence.</p> <p><u>Court Impact:</u> <i>Judicial officers should be informed. Courts should review procedures and CMS codes; prepare for the potential of increased workload, inform and train staff.</i></p>	<p>Erin Duncan</p>
<p>Criminal procedure: protective orders. AB 1281, Ch. 209</p> <p><u>Laws:</u> An act to amend Sections 1203.4, 1203.4a, 1203.4b, and 1203.425 of the Penal Code, relating to criminal procedure.</p> <p><u>Summary:</u> This bill amends Penal Code Sections 1203.4, 1203.4a, 1203.4b, and 1203.425, specifying that a dismissal under any of these processes does not invalidate a protective order issued in that case.</p> <p><u>Court Impact:</u> <i>Courts may need to review and update their current procedures in the event that they are currently taking action on outstanding protective orders.</i></p>	<p>Suzanne Schleder</p>
<p>Bail: premiums. AB 1347, Ch. 444</p> <p><u>Laws:</u> An act to add Section 1276.1 to the Penal Code, relating to bail.</p> <p><u>Summary:</u> This bill adds PC 1276.1 which prohibits a bail agent, insurer, or bail licensee from entering into a contract, agreement or undertaking of bail that requires the payment of more than one premium for the duration of the agreement, and would require the duration of the agreement to be until bail is exonerated.</p> <p><u>Court Impact:</u> <i>Courts will no longer need to track expiration of bonds or bond renewals if they are currently doing so.</i></p>	<p>Jodi Leveque</p>

Criminal procedure: resentencing.

AB 1540, Ch.

Erin Duncan

Laws: An act to amend Sections 1170 and 5076.1 of, and to add Section 1170.03 to, the Penal Code, relating to criminal procedure.

Summary: The purpose of this bill is to: 1) prohibit the court from denying a recall and resentencing motion without a hearing; 2) require the court to appoint counsel for the petitioner; 3) create a presumption favoring recall and resentencing when recall and resentencing is based on the recommendation of the Department of Corrections and Rehabilitation (CDCR), the Board of Parole Hearings (BPH) or local authorities; and 4) require the court to state on the record the reasons for its decision to grant or deny recall and resentencing.

Major Provisions

- 1) Requires the court considering the resentencing to apply the sentencing rules of the Judicial Council and any changes in the law that reduce sentences or provide for judicial discretion so as to eliminate disparity of sentences and to promote uniformity of sentencing.
- 2) Specifies that the court may consider postconviction factors, including, but not limited to, the inmate's disciplinary record and record of rehabilitation while incarcerated, evidence that reflects whether age, time served, and diminished physical condition, if any, have reduced the inmate's risk for future violence, and evidence that reflects that circumstances have changed since the inmate's original sentencing so that the inmate's continued incarceration is no longer in the interest of justice.
- 3) Requires the court to give credit for time served.
- 4) Requires the court state on the record the reasons for its decision to deny resentencing.
- 5) Specifies that the court may state its decision to grant resentencing on the record or in writing.
- 6) Specifies that if a resentencing request is from CDCR, BPH, Sheriff, a District Attorney, or the Attorney General, all of the following shall apply:
 - a) The court shall provide notice to the defendant and set an initial conference within 30 days;
 - b) The court's order setting the conference shall also appoint counsel to represent the defendant; and,
 - c) There shall be a presumption favoring recall and resentencing of the defendant, which may only be overcome if a court finds the defendant is an unreasonable risk of danger to public safety because the court finds an unreasonable risk that the defendant would commit a violent felony, as specified.

Court Impact: *Judicial officers should be notified. Courts should review CMS codes and procedures to determine if updates are needed; prepare for the potential of increased hearings and associated workload, inform and train staff.*

<p>Peace officers: release of records. SB 16, Ch. 402</p> <p>Laws: An act to amend Section 1045 of the Evidence Code, and to amend Sections 832.5, 832.7, and 832.12 of, and to add Section 832.13 to, the Penal Code, relating to peace officers.</p> <p>Summary: This bill makes some police records that would normally be confidential subject to disclosure within 45 days of a sustained finding that:</p> <ul style="list-style-type: none"> -an officer used excessive force -an officer failed to intervene when noticing that excessive force was being used -an unlawful arrest occurred -an officer engaged in prejudiced or discriminator behavior <p>This bill allows some exceptions to the 45-day disclosure timetable. It also eliminates a provision in current law that a court cannot consider officer conduct more than 5 years old.</p> <p>Any incident that occurs before January 1, 2022 that would be subject to a new disclosure requirement does not need to be disclosed until January 1, 2023.</p> <p>Court Impact: <i>The Sheriff's Office bears the brunt of this legislation. Inform bench officers of the changes in the law.</i></p>	<p>Sarah Lind</p>
<p>Infractions: community service: education programs. SB 71, Ch. 598</p> <p>Laws: An act to amend Section 1209.5 of the Penal Code, relating to criminal procedure.</p> <p>Summary: Existing law authorizes a court to sentence a person convicted of an infraction to perform community service in lieu of the total fine, upon showing that payment of the total fine would pose a hardship. This bill permits the court, at its discretion, to permit a person to participate in an educational program to satisfy community service hours.</p> <p>Court Impact: <i>Judges and court staff should be made aware of this modification in PC 1209.5. Forms and processes may need updating to include this as an option.</i></p>	<p>Jodi Leveque</p>

Probation: eligibility: crimes relating to controlled substances.

SB 73, Ch. 537

Laws: Probation: eligibility: crimes relating to controlled substances.

Summary: This bill makes certain drug offenses previously ineligible for probation eligible for probation provided the offense does not involve a minor. The offenses made eligible are:

- a) Possession for sale of 14.25 grams or more of a substance containing heroin.
- b) Selling or offering to sell 14.25 grams or more of a substance containing heroin.
- c) Possession of heroin for sale or selling or offering to sell heroin, and who has one or more prior convictions for either offense.
- d) Possession for sale of 14.25 grams or more of any salt or solution of phencyclidine (PCP) or any of its analogs, as specified, or any of the precursors of PCP.
- e) Transporting for sale, importing for sale, or administering, or offering to transport for sale, import for sale, or administer, or attempting to import for sale or transport for sale, PCP or any of its analogs or precursors.
- f) Selling or offering to sell PCP or any of its analogs or precursors.
- g) Manufacturing or offering to perform an act involving the manufacture of PCP or any of its analogs or precursors.
- h) Using, soliciting, inducing, encouraging, or intimidating a minor to act as an agent to manufacture, compound, or sell any controlled substance, as specified.
- i) Using a minor as an agent or who solicits, induces, encourages, or intimidates a minor with the intent that the minor be in possession of PCP for sale, sells, distributes, or transports PCP, or manufactures PCP or any of its analogs or precursors.
- j) Possession of piperidine, pyrrolidine, or morpholine, and cyclohexanone, with intent to manufacture PCP or any of its analogs.
- k) Possession for sale, selling, or offering to sell cocaine base, cocaine, or methamphetamine, and who has one or more prior drug offense convictions, as specified. (Pen. Code, § 1203.07, subd. (a).)
- l) Possessing for sale or selling of a substance containing 28.5 grams or more of cocaine or cocaine base.
- m) Possessing for sale or selling a substance containing 28.5 grams or more of methamphetamine.
- n) Manufacturing, compounding, converting, producing, deriving, processing, or preparing of specified controlled substances, except manufacturing of PCP.
- o) Using, soliciting, inducing, encouraging, or intimidating a minor to manufacture, compound, or sell heroin, cocaine base, cocaine, or methamphetamine.
- p) Manufacturing, or offering or arranging to sell, furnish, transport, administer, or give any methamphetamine, or possession of its precursor chemicals, with one or more specified prior convictions involving methamphetamine. (Pen. Code, § 1203.073, subds. (a) & (b).)

Sarah Lind

Granting probation for any of these offenses is prohibited if a minor is involved unless a judge rules that granting probation is in the interest of justice.

***Court Impact:** All Collaborative Courts except restitution court and military diversion court should evaluate this information and decide if changes to eligibility and admissions criteria are warranted. If Collaborative Courts chooses to admit these newly eligible offenders, they will need to develop a plan for their successful integration in a way that does not compromise the integrity of the programs by introducing drug traffickers into a population of people trying to get abstain from drug use.*

This has no impact to diversion programs since it only impacts probated sentences.

Sentencing: dismissal of enhancements.

SB 81, Ch. 721

Laws: An act to amend Section 1385 of the Penal Code, relating to sentencing.

Summary: Existing law generally authorizes a court to dismiss an action or to strike or dismiss an enhancement in the furtherance of justice. This bill requires, except as specified, a court to dismiss an enhancement if it is in the furtherance of justice to do so. The bill requires a court to consider and afford great weight to evidence offered by the defendant to prove that specified mitigating circumstances are present. It provides that proof of the presence of one or more specified mitigating circumstances weighs greatly in favor of dismissing an enhancement, unless the court finds that dismissal would endanger public safety, as defined.

Court Impact: *This is also one of the bills this cycle that effectuates major changes with regard to the striking of enhancements. Specifically, this bill amends Penal Code section 1385 to add factors the court should consider when deciding whether to strike a sentencing enhancement. The court is required to give "great weight" to the new factors. Though the language of the amendment stresses the court retains discretion to strike an enhancement, two of the factors have language that could be interpreted to require striking an enhancement in certain circumstances.*

It is ambiguous about whether the court will be required to dismiss most or all enhancements or whether the court retains discretion not to do so. For instance, P.C. 1385(3)(b) states "Multiple enhancements are alleged in a single case. In this instance, all enhancements beyond a single enhancement shall be dismissed." There are at least two ways to interpret this section: (1) the court cannot impose more than one enhancement in a single case. However, this interpretation would fail to take into account the entire statute as well as its purpose. (2) The presence of multiple enhancements is simply a trigger for the court to evaluate whether it would be in the furtherance of justice to dismiss one or more enhancements.

P.C. 1385(3)(c) states "The application of an enhancement could result in a sentence of over 20 years. In this instance, the enhancement shall be dismissed." This, too, is open to interpretation. One interpretation is that if application of the enhancement would take the aggregate sentence over twenty years, then the enhancement cannot be applied. However, as with the multiple enhancements circumstance, the language could be interpreted as a trigger that requires the court to engage in the balancing process to determine whether striking the enhancement would be in furtherance of justice. Viewed in this light, the court would not be required to strike the enhancement if its imposition resulted in a sentence over twenty years.

This is one that should be highlighted with your judicial officers.

Kelly Sullivan

<p>Sexually violent predators: open court proceedings. SB 248, Ch.</p> <p>Laws: An act to amend Section 6601 of the Welfare and Institutions Code, relating to public social services.</p> <p>Summary: Requires the Department of Corrections and Rehabilitation (CDCR) to refer a person directly to the Department of State Hospitals (DSH) for an evaluation as to whether the person still meets the criteria as a sexually violent predator (SVP) if the person is in CDCR for an offense committed while the person was previously serving an indeterminate term in DSH as an SVP. Requires DSH to obtain a court order if evaluators concur that the person has a diagnosed mental disorder so they are likely to engage in acts of sexual violence without treatment and custody.</p> <p>Court Impact: <i>Possible reduced workload for courts to the extent additional probable cause or trial proceedings on a person's continued SVP status is no longer required as this bill would simply return the person to DSH. Judicial officers should be informed, and a review of CMS codes and procedures should be completed to determine if any updates are needed for the processing of orders submitted by Department of State Hospitals (DSH).</i></p>	<p>Erin Duncan</p>
<p>Competence to stand trial. SB 317, Ch. 599</p> <p>Laws: An act to amend Section 4019 of, and to repeal and add Section 1370.01 of, the Penal Code, relating to criminal procedure.</p> <p>Summary: This bill amends PC 4019 allowing conduct credits to persons confined in a state hospital or mental health facility while proceedings are suspended due to mental competency; Repeals and adds PC 1370.01 which, upon a finding of incompetence on a misdemeanor complaint or misdemeanor violation of probation, allows the court to suspend proceedings and grant diversion not to exceed one year or dismiss the charges.</p> <p>Court Impact: <i>Inform judicial officers. Courts may review procedures for determining credits and inform clerks of requirements for sentencing minute orders. Courts may also modify existing mental health procedures and processing to include diversion on misdemeanor cases.</i></p>	<p>Suzanne Schleder</p>

Protective orders: reproductive coercion.

SB 374, Ch. 135

Laws: An act to amend Section 6320 of the Family Code, relating to protective orders.

Summary: Family Code Section 6320(c) is modified to add prohibition of engaging in reproductive coercion to a protective order issued under the Domestic Violence Prevention Act.

Reproductive coercion consists of control over the reproductive autonomy of another through force, threat of force, or intimidation, and may include, but is not limited to, unreasonably pressuring the other party to become pregnant, deliberately interfering with contraception use or access to reproductive health information, or using coercive tactics to control, or attempt to control, pregnancy outcomes.

Court Impact: *Inform the bench officers that hear matters under the Domestic Violence Prevent Act of the additional prohibition that may be ordered. Update resource materials and court orders as necessary. Train courtroom staff on the changes and update the Court Case Management System as necessary to record the new prohibition. Coordinate as necessary with justice partners.*

**Criminal and
Family Law Impact**

Sarah Lind

Sentencing: resentencing to remove sentencing enhancements.

SB 483, Ch. 728

Laws: An act to add Sections 1171 and 1171.1 to the Penal Code, relating to resentencing.

Summary: SB 180 (2018) and SB 136 (2020) repealed certain sentencing enhancements. This bill retroactively applies these bills to the currently legally invalid sentence enhancements.

- SB 180 – Additional 3-year term for each prior conviction of specified crimes related to controlled substances [HS 11370.2, repealed 01/01/18]
- SB 136 – Additional 1-year term for each prior prison or county jail felony term served by the defendant for a non-violent felony [PC 667.5(b), repealed 01/01/20]

The CDCR and County Sheriff will identify those persons in their custody currently serving a term for a judgment that includes one of these listed enhancements and provide the information to the sentencing court as follows:

- By 03/01/22 for individuals who have already served their base term and other valid enhancements and are currently serving a sentence based on one of the legally invalid enhancements.
- By 07/01/22 for all other individuals.

Upon receiving the information, the court shall review the judgment and if determines it includes an enhancement as listed above, shall recall the sentence and resentence the defendant. The review and resentencing must be completed as follows:

- By 10/01/22 for individuals who have served their base term and any other enhancement and are currently serving a sentence based on the enhancement.
- By 12/31/23 for all other individuals.

Court Impact: *This is a high impact bill for the Courts, CDCR and Sheriff's Offices. Courts will need to prepare to receive these lists and process the recall and resentencing matters.*

Jodi Leveque

<p>Mental health services: assisted outpatient treatment. SB 507, Ch. 426</p> <p><u>Laws:</u> An act to amend Section 5346 of, and to add Section 5346.5 to, the Welfare and Institutions Code, relating to mental health.</p> <p><u>Summary:</u> This bill is a result of a state audit of the LPS Act. It is an attempt to act on the recommendations of that audit. Specifically, it expands access to Assisted Outpatient Treatment (AOT). This expansion is intended to allow individuals to 'step down' into an AOT program after being held in an institutional setting.</p> <p>It allows an individual petitioning the Court for AOT to appear by videoconference.</p> <p><u>Court Impact:</u> <i>This is an effort to ensure a “continuum of care.” To prevent mentally ill individuals from falling into system gaps where they don’t get the ongoing care they need.</i></p> <p><i>Every change to one aspect of the mental health services continuum impacts the rest of the system. The impact will need to be assessed holistically in coordination with the justice partners.</i></p> <p><i>There are no obvious process changes that need to be made with the possible exception of event codes to memorialize judicial officers’ findings in the Court Case Management System.</i></p>	<p style="text-align: center;">Sarah Lind</p>
<p>Criminal procedure: sentencing. SB 567, Ch. 731</p> <p><u>Laws:</u> An act to amend Sections 1170 and 1170.1 of the Penal Code, relating to criminal procedure.</p> <p><u>Summary:</u> This bill amends Penal Code Sections 1170 and 1170.1 to require the court to impose the mid-term on those statutes that specify three possible terms (low, mid, upper) unless there are circumstances in aggravation that have been stipulated to by the defendant or have been found true by jury or judge in a court trial; also allows in specific circumstances, upon request of defendant, to bifurcate the trial on the circumstances in aggravation from the trial on the charges; additionally allows court to consider certified prior convictions without finding by the jury. This bill also requires the findings on the record for imposing the term selected.</p> <p><u>Court Impact:</u> <i>Inform judicial officers, courtroom staff. Courts may need to review and update procedures around bifurcation to include circumstances in aggravation. Court CMS support may need to configure codes for minutes to record findings and for proceedings related to bifurcation.</i></p>	<p style="text-align: center;">Suzanne Schleder</p>

<p>Lanterman-Petris-Short Act: hearings. SB 578, Ch. 389</p> <p><i>Laws:</i> An act to amend Section 5118 of the Welfare and Institutions Code, relating to mental health.</p> <p><i>Summary:</i> Welfare and Institutions Code Section 5118 is amended to state that LPS hearings are to be closed to the public if the hearing involves the disclosure of any confidential information. The bench officer may grant that the hearing be made public upon request of the subject of the proceeding, or upon request by any other party to the case, should the bench officer conclude the public hearing outweighs the individual’s right to privacy.</p> <p><i>Court Impact:</i> <i>Inform the bench officers of the change in the law. Inform courtroom clerk staff that the proceedings shall be closed to the public absent a ruling to the contrary by the bench officer.</i></p>	<p>Probate and Criminal Impact</p> <p>Sarah Lind</p>
<p>Felony murder: resentencing. SB 775, Ch.</p> <p><i>Laws:</i> An act to amend Section 1170.95 of the Penal Code, relating to murder.</p> <p><i>Summary:</i> Clarifies that persons who were prosecuted under a theory of felony murder, the natural and probable consequences doctrine, or any theory in which malice was imputed to them based solely on their participation in a crime, and who were convicted of attempted murder or manslaughter, may apply for the same resentencing relief as persons who were convicted of murder under those same theories. Allows for petitions for resentencing and requires specific findings by the Court. This bill requires a court that declines to make an order to show cause to provide a statement fully setting forth its reasons for doing so.</p> <p><i>Court Impact:</i> <i>Judicial officers should be notified. Courts should review their CMS to ensure necessary findings and orders exist, prepare for potential increase in hearings and associated workload.</i></p>	<p>Erin Duncan</p>
<p>Public Safety Omnibus. SB 827, Ch. 434</p> <p><i>Laws:</i> Criminal - SEC. 7 of the bill, amended section 1203.01 of the Penal Code, relating to electronic service. Juvenile, Criminal - Amendments to Section 1170.17 of the Penal Code, relating to repeal of provisions that authorize a prosecutor to begin a criminal case against a minor in a criminal court and that would impose an adult sentence for a minor convicted in criminal court and not transferred to juvenile court.</p> <p><i>Summary:</i> This bill makes technical changes to various code sections relating generally to criminal justice laws. Specifically, this bill accomplishes the following:</p>	<p>Kelly Sullivan</p>

Control, Regulate and Tax Adult Use of Marijuana Act: Under existing law, the Control, Regulate and Tax Adult Use of Marijuana Act authorizes a person currently convicted of a specified offense who would have not been guilty of an offense, or guilty of a lesser offense, under the Act, if the Act had been in effect at the time of the conviction, may petition or apply to have the sentence reduced, or if they have completed their sentence, to have the conviction dismissed and the record sealed in accordance with the act.

This bill clarifies that the above relief applies to any person who would not have been found guilty of their convicted offense had the act been in effect at the time of conviction.

Animal Neglect: Existing law punishes animal neglect by making it a misdemeanor to permit an animal to be in a building, street, lot, or other public place without proper care and attention. Existing law also authorizes a peace officer or other public entity to take possession of the animal and impose a lien on the animal for the costs of caring for the animal.

This bill repeals provisions that are duplicative of existing law.

Prosecution of a Minor: Existing law authorizes a prosecutor to prosecute a minor in a court of criminal jurisdiction, without first having a proceeding about whether the minor is a fit subject for juvenile court, in certain circumstances. Existing law also requires that if the minor is not transferred to a juvenile court, either before or after conviction, they shall receive the same sentence as an adult. Further, the Public Safety and Rehabilitation Act of 2016, as enacted by Proposition 57 at the November 8, 2016, statewide general election, requires a prosecutor to first petition a juvenile court for a transfer to a court of criminal jurisdiction before criminal proceedings against a minor can begin in a court of criminal jurisdiction.

This bill eliminates provisions allowing the District Attorney to prosecute a minor in a court of criminal jurisdiction, in certain circumstances, without a proceeding to determine whether the minor is a fit subject for juvenile court. This bill also repeals Penal Code sections 1170.17 and 1170.19.

Mailing Documents to Prisons: Existing law requires the clerk of the court to mail statements filed by specified individuals, including the judge, district attorney, and probation officer, along with charging documents, a copy of waiver and plea forms, and other specified documents, to the prison or other institution to which the person convicted is delivered.

This bill authorizes the clerk of the court to deliver these documents by electronic means rather than by mail, if the recipient consents and is not the person convicted.

Batterer's Treatment Program: Existing law requires that the terms of probation granted to a person who has been convicted of domestic violence include, among other things, successful completion of a batterer's program or, if a batterer's program is not available, another appropriate counseling program. Further, existing law requires a batterer's program to be approved by the Probation Department and specifies the standards for approving batterer's programs. Existing law, until July 1, 2022, authorizes the Counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo to offer an alternative program for individuals convicted of domestic violence.

This bill would extend the authorization for those counties to offer an alternative program until July 1, 2023.

Post-Conviction Relief: Existing law allows a person convicted of any infraction or misdemeanor, or any felony for which the person was granted probation or participated as an incarcerated member of a hand crew in the California Conservation Camp program, except as specified, to petition the court to have the pleading dismissed, as described, thus releasing the person of any penalties and disabilities of conviction, except as otherwise provided.

This bill clarifies that individuals who have been convicted of specified crimes are ineligible for this relief, specifically the following:

- Murder.
- Kidnapping.
- Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.
- Lewd acts on a child under 14 years of age, as defined in Section 288.
- Any felony punishable by death or imprisonment in the state prison for life.
- Any sex offense requiring registration pursuant to Section 290.
- Escape from a secure perimeter within the previous 10 years.
- Arson.

Administering Involuntary Medication: Existing law generally prohibits a person sentenced to imprisonment in a county jail from being administered any psychiatric medication without the inmate's prior informed consent. Existing law, until January 1, 2022, provides additional protections to an inmate confined in a county jail from involuntarily being administered psychiatric medication, including a requirement that a jail first make a documented attempt to locate an available bed for the inmate in a community-based treatment facility in lieu of

seeking to administer involuntary medication and a requirement that any court-ordered psychiatric medication be administered in consultation with a psychiatrist who is not involved in the treatment of the inmate at the jail, if one is available. Under existing law, until January 1, 2022, if the inmate is awaiting resolution of a criminal case, requires that a hearing to administer involuntary medication on a nonemergency basis be held before, and any requests for ex parte orders be submitted to, a judge in the superior court where the criminal case is pending and sets specified limits on the amount of time those orders are valid. Existing law repeals these additional protections on January 1, 2022, at which time previously operative provisions of existing law become operative again.

This bill extends the operation of these provisions until January 1, 2025.

Furnishing State Summary Criminal History Information: Existing law permits the Attorney General to furnish state summary criminal history information, as defined, to specified individuals, organizations, and agencies upon a showing of compelling need. Existing law makes it a misdemeanor for a person authorized to receive the state criminal history information to furnish the information to an unauthorized person.

This bill additionally permits the Attorney General to furnish that information to the Governor when the Governor recommends to the Director of the Selective Service System applicants for appointment to the state's Selective Service System local boards. By creating a new law changing the scope of a crime, this bill imposes a state-mandated local program.

Nunchaku: Existing law categorizes certain weapons, including nunchaku, as generally prohibited weapons, and, except as specified, subjects a person who manufactures, imports, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses, any nunchaku to imprisonment in a county jail, as specified. Existing law also declares nunchaku to be a nuisance and authorizes the Attorney General, a district attorney, or a city attorney to bring an action to enjoin any of the activities stated above.

This bill removes nunchaku from the list of generally prohibited weapons and repeals its designation as a nuisance. The bill further clarifies that a "billy," "blackjack," or "slungshot" does not include a nunchaku.

***Court Impact:** This is the annual Public Safety omnibus bill, the provisions of which make only technical or minor substantive but noncontroversial changes to the law. The portions of the bill that we need to take note of are as follows:*

Animal Neglect: Section 597f of the Penal Code is repealed.

Prosecution of a Minor: Sections 1170.17 and 1170.19 of the Penal Code are repealed, which allowed a juvenile whose case was directly filed in adult court but is ultimately convicted of something not eligible for direct file, to request that the sentencing be sent back to juvenile court. This provision was rendered obsolete by Proposition 57 (2016).

Mailing Documents to Prisons: With the consent of the recipient expressed in writing, or orally on the record, the clerk of the court may deliver the documents, or the data contained in the documents, described in subdivisions (a) and (b) by electronic means rather than by mail if the recipient is not the person convicted.

Administering Involuntary Medication: Existing law will now remain in effect until January 1, 2025.

Nunchaku: The nunchaku is removed as a generally prohibited weapon from Penal Code Section 16590(r). Sections 22010, 22015, and 22090 of the Penal Code are repealed. Section 22296 is added to the Penal Code and indicates that “billy,” “blackjack,” or “slungshot” does not include a nunchaku.

Criminal Informational Bills	Notes
<p>Firearms: unsafe handguns. AB 2847, Ch. 292 Statutes of 2020</p> <p><u>Laws:</u> An act to amend Section 31910 of the Penal Code, relating to firearms.</p> <p><u>Summary:</u> This bill, effective July 1, 2022, requires all semiautomatic pistols not already listed on the Department of Justice (DOJ) roster of not unsafe handguns be equipped with chamber load indicators, magazine disconnect mechanisms, and micro stamping technology.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>OPERATIVE 07/01/22</p> <p>Kelly Sullivan</p>
<p>Peace officers: use of force. AB 26, Ch. 403</p> <p><u>Laws:</u> An act to amend Section 7286 of the Government Code, relating to peace officers.</p> <p><u>Summary:</u> Existing law requires law enforcement agencies maintain a policy that provides a minimum standard on the use of force. This bill requires those policies require officers to immediately report potential excessive force and prohibits retaliation against reporting officers. It also includes the requirement that an officer that fails to intercede be disciplined in the same manner as the officer who used excessive force.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Jodi Leveque</p>
<p>Traffic safety. AB 43, Ch. 690</p> <p><u>Laws:</u> An act to amend Sections 627, 21400, 22352, 22354, 22358, and 40802 of, and to add Sections 22358.6, 22358.7, 22358.8, and 22358.9 to, the Vehicle Code, relating to traffic safety.</p> <p><u>Summary:</u> This bill authorizes local authorities to make certain changes to certain default speed limits considering vulnerable pedestrians; allows CalTrans to change certain speed limits, adds a speed limit of 20 or 15 miles per hour to list of specified limits on prescribed highways; and extends period that a speed limit is justified by a traffic survey for purposes of speed enforcement.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Suzanne Schleder</p>

<p>Public Safety. AB 173, Ch. 253</p> <p>Laws: Amends Sections 171c, 11106, 13202, 14230, 14231, 14231.5, 14236, 28220, 30000, 30352, and 30452 of, and to add Chapter 3 (commencing with Section 14240) to Title 12.2 of Part 4 of, the Penal Code, and to add Section 8106 to the Welfare and Institutions Code.</p> <p>Summary: Existing law prohibits the bringing or possession of a loaded firearm or other specified weapon to the State Capitol and legislative offices and makes it punishable as either a misdemeanor or a felony. This bill adds the State Office Building located at 1021 O Street in Sacramento as an additional location where such actions would be prohibited. It also clarifies the process and parameters of disclosure of specified information to the California Firearm Violence research Center at UC Davis by the Department of Justice (DOJ) for research or statistical activities.</p> <p>Court Impact: <i>Judicial officers should be informed.</i></p>	<p style="text-align: center;">Sarah Lind</p>
<p>Corrections: rehabilitative programming. AB 292, Ch.</p> <p>Laws: An act to add Sections 2933.7 and 2933.8 to the Penal Code, relating to corrections</p> <p>Summary: The purpose of this bill is to: (1) direct the California Department of Corrections and Rehabilitation (CDCR) to use its constitutional authority to award custody credits to specified inmates serving a sentence for a violent felony or a nonviolent second- or third-strike felony at a rate of a one day credit for every day in custody; and (2) require CDCR to award credits and conduct rehabilitative programming in a manner that meets specified requirements.</p> <p>Court Impact: <i>Judicial officers should be informed.</i></p>	<p style="text-align: center;">Erin Duncan</p>
<p>Credibility of witnesses: sexual conduct: social media content. AB 341, Ch. 24</p> <p>Laws: An act to amend Section 782 of the Evidence Code, relating to evidence.</p> <p>Summary: This bill amends Evidence Code Section 782 to define "evidence of sexual conduct" to include portions of a social media account of a complaining witness as to the process required for offering evidence attacking the complaining witness in prosecution for rape or other specified offenses.</p> <p>Court Impact: <i>Informational for judicial officers.</i></p>	<p style="text-align: center;">Suzanne Schleder</p>

<p>Law enforcement agency policies: arrests: positional asphyxia. AB 490, Ch. 407</p> <p><u>Laws:</u> An act to amend Section 7286.5 of the Government Code, relating to law enforcement agency policies.</p> <p><u>Summary:</u> Existing law prohibits law enforcement agencies from authorizing the use of a carotid restraint or a choke hold. This bill additionally prohibits agencies from authorizing techniques or transport methods that involve a substantial risk of positional asphyxia.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Jodi Leveque</p>
<p>Controlled substances. AB 527, Ch.</p> <p><u>Laws:</u> An act to amend Sections 11056, 11057, add to add Section 11059 to, the Health and Safety Code, relating to controlled substances.</p> <p><u>Summary:</u> The purposes of this bill are: 1) to expand existing law that authorizes healing arts licensees to prescribe cannabidiol (CBD) products if one of specified changes in federal law occurs to include all products with cannabinoids; 2) to require the Department of Justice to permit the University of California and its bona fide researches access to the Controlled Substances Utilization Review and Evaluation System (CURES), as specified; and 3) to align federal and state controlled substance schedules, as specified.</p> <p><u>Court Impact:</u> <i>Judicial officers should be informed.</i></p>	<p>Erin Duncan</p>
<p>Financial abuse of elder or dependent adults. AB 636, Ch. 621</p> <p><u>Laws:</u> An act to amend Section 15633.5 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.</p> <p><u>Summary:</u> Commencing January 1, 2023, this bill requires the Secretary of State to make the application form for participation in the program and various notices required under the program available in specified languages and to maintain certain information relating to the program on the secretary's internet website, including, among other things, the contact information for community-based programs that can assist a person in applying to participate in the program. The bill would also require the Judicial Council, by January 1, 2023, to amend a form relating to domestic violence restraining orders to include information relating to the program and to make that form available in specified languages. The bill would also authorize both the Secretary of State and the Judicial Council to produce the above materials in any other language.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Kelly Sullivan</p>

<p>Mental Health Services Act: early intervention and prevention programs. AB 638, Ch. 584</p> <p><i>Laws:</i> An act to amend Section 5840 of the Welfare and Institutions Code, relating to mental health, and making an appropriation therefor.</p> <p><i>Summary:</i> Welfare and Institutions Code Section 5841 is amended to state that the State Department of Health Care Services shall coordinate with the counties to establish a program designed to prevent mental illnesses from becoming severe and disabling. The program must include specific components, such as outreach.</p> <p><i>Court Impact:</i> Informational only.</p>	<p>Sarah Lind</p>
<p>Contempt of court: victim intimidation. AB 764, Ch. 704</p> <p><i>Laws:</i> An act to amend Section 166 of the Penal Code, relating to contempt of court.</p> <p><i>Summary:</i> This bill specifies that a person who is the subject of a restraining order who has previously been convicted of stalking, may be punished for contempt of court punishable by a maximum of one year in jail, for willfully contacting a victim by social media, electronic communication, or by electronic device.</p> <p><i>Court Impact:</i> Informational for Judicial Officers.</p>	<p>Erin Duncan</p>
<p>Sex offenses: evidence. AB 939, Ch. 529</p> <p><i>Laws:</i> An act to amend Section 1103 of the Evidence Code, relating to evidence.</p> <p><i>Summary:</i> The passage of AB 939 and AB 1171 amends Section 1103 of the Evidence Code so that the court can no longer admit evidence of the manner in which a victim was dressed unless based on a finding that such evidence is relevant and admissible in the interests of justice.</p> <p><i>Court Impact:</i> Informational only.</p>	<p>Kelly Sullivan</p>

<p>Firearms. AB 1057, Ch. 682</p> <p>Laws: An act to add Section 6216 to the Family Code, and to amend, repeal, and add Section 16520 of the Penal Code, relating to firearms.</p> <p>Summary: This bill expands the definition of a firearm to include a frame or receiver of the weapon or a firearm precursor part, expanding the scope of existing crimes. Adds Section 6216 to the Family Code and 16520 to the Penal Code. This addition will close a loophole for emergency Gun Violence Restraining Orders (GVRO's) by including ghost guns in the definition of items subject to seizure when a person is deemed by the court to be a threat to themselves or others. This bill ensures that these readily available weapons which look and act like any other firearm are treated appropriately.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Suzanne Schleder</p>
<p>Criminal procedure: limitations of actions. AB 1247, Ch. 206</p> <p>Laws: An act to add Section 801.7 to the Penal Code, relating to criminal procedure.</p> <p>Summary: This bill amends the existing statute of limitations that applies to the prosecution for a felony violation for unlawful access of computer services to authorize the prosecution to be commenced within three years after discovery of the commission of the offense, or within three years after the offense could have reasonably been discovered, provided however, that the filing of a criminal complaint shall not be filed more than six years after the commission of the offense. The amended statute of limitations applies to crimes committed on or after January 1, 2021.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Kelly Sullivan</p>
<p>Deferred entry of judgment pilot program. AB 1318, Ch. 210</p> <p>Laws: An act to amend Section 1000.7 of the Penal Code, relating to diversion.</p> <p>Summary: Extends the operative date of the exiting Transition Age Youth pilot program to January 1, 2024 and establishes a December 31, 2022 deadline by which a report on the program must be delivered to the Senate and Assembly Public Safety Committees.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Kelly Sullivan</p>

<p>Mental health: involuntary treatment. AB 1443, Ch. 399</p> <p>Laws: An act to amend Sections 5121 and 5154 of the Welfare and Institutions Code, relating to mental health.</p> <p>Summary: This bill permits any county to develop training and procedures related to taking, or causing to be taken, a person into custody for an involuntary detention, as specified. Requires the County of Sacramento to develop a written policy for training and procedures for designating persons who are employed by the City of Sacramento and who meet specified criteria to involuntarily detain individuals.</p> <p>Court Impact: <i>Criminal and Civil Judicial officers should be informed that this bill prohibits a designated member of a mobile crisis team or a designated professional person from being held civilly or criminally liable, as a result of detaining or transporting a person pursuant to the provisions, for any action by the person detained or transported if they are released at or before the end of the 72-hour detention.</i></p>	<p>Criminal and Probate Impact</p> <p>Erin Duncan</p>
<p>Law enforcement: social media. AB 1475, Ch. 126</p> <p>Laws: An act to add Section 13665 to the Penal Code, relating to law enforcement.</p> <p>Summary: Penal Code Section 13665 is added to prohibit a police department or sheriff's office from sharing, on social media, booking photos of an individual arrested on suspicion of committing a nonviolent crime unless certain circumstances exist.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Sarah Lind</p>

<p>Disorderly conduct: distribution of intimate images: statute of limitations SB 23, Ch. 483</p> <p><i>Laws:</i> An act to amend Section 803 of the Penal Code, relating to disorderly conduct.</p> <p><i>Summary:</i> This bill extends the statute of limitations applicable to the crime of “revenge porn” to allow prosecution to commence within one year of the discovery of the offense, but not more than four years after the image was distributed.</p> <p><i>Court Impact:</i> Informational only.</p>	<p style="text-align: center;">Kelly Sullivan</p>
<p>Elections. SB 35, Ch. 318</p> <p><i>Laws:</i> An act to amend Sections 319.5, 8902, 8903, 18370, 18541, and 18568 of, and to add Sections 18372 and 18504 to, the Elections Code, relating to elections.</p> <p><i>Summary:</i> This bill expands prohibited activities to include obstruction ingress, egress and parking, and now includes prohibition within 100 feet of the entrance to a building that houses a polling place, an elections official’s office, or satellite voting location, and an outdoor site at which a voter may cast or drop off a ballot, among other activities.</p> <p><i>Court Impact:</i> Informational only.</p>	<p style="text-align: center;">Suzanne Schleder</p>
<p>Vehicles: trailers. SB 287, Ch. 610</p> <p><i>Laws:</i> An act to amend, repeal, and add Sections 12804.9 and 12804.12 of the Vehicle Code, relating to vehicles.</p> <p><i>Summary:</i> This bill amends, repeals, and adds Vehicle Code Sections 12804.9 and 12804.12, authorizing Class C license holders to tow certain vehicles for recreational purposes.</p> <p><i>Court Impact:</i> Informational only.</p>	<p style="text-align: center;">Suzanne Schleder</p>

<p>Factual innocence. SB 446, Ch. 490</p> <p>Laws: An act to amend Sections 1485.5, 1485.55, 4900, 4902, 4903, and 4904 of the Penal Code, relating to criminal procedure.</p> <p>Summary: Existing law authorizes a person who has been convicted and incarcerated for a felony and later pardoned on the basis of innocence or found to be factually innocent of that crime to present a claim against the California Victim Compensation Board. This bill states that if the Attorney General does not object in writing within 45 days of the claim being filed, then the Board shall issue its recommendation within 60 days thereafter. If the Attorney General timely objects, the AG must prove by clear and convincing evidence that the claimant committed the acts constituting the offense.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Jodi Leveque</p>
<p>Criminal law. SB 715, Ch. 250</p> <p>Laws: An act to amend Section 12525.3 of the Government Code, and to amend Sections 11106, 11108.2, 26406, 27505, 27570, 28050, 28055, 28100, 28210, 28215, 28220, 28230, 29610, 29615, 29700, 29750, 31700, and 32000 of, to amend the heading of Article 1 (commencing with Section 29610) of Chapter 1 of Division 9 of Title 4 of Part 6 of, to add Sections 16685, 26537, 27963, 31833, and 31834 to, and to repeal and add Section 27945 of, the Penal Code, relating to criminal law.</p> <p>Summary: This bill amends Government Code Section 12525.3, Penal Code Sections 11106, 11108.2, 26406, 27505, 27570, 28050, 28055, 28100, 28210, 28215, 28220, 28230, 29610, 29615, 29700, 29750, 31700, and 32000 , adds Penal Code Sections 16685, 26537, 27963, 31833, and 31834, and repeals and adds Penal Code Section 27945, relating to minor possessing firearms, prohibiting a minor from possessing a semiautomatic centerfire rifle and commencing July 1, 2023, prohibiting a minor from possessing any firearm, among other related items.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Suzanne Schleder</p>

<p>Public health: omnibus bill.</p> <p>SB 823, Ch. 554</p> <p><u>Laws:</u> An act to amend Section 1714.22 of the Civil Code, to amend Sections 6276.14, 6276.30, 12528, and 12528.1 of the Government Code, to amend Section 1179.80 of the Health and Safety Code, to amend Section 3823 of the Labor Code, to amend Sections 368.6 and 13515 of the Penal Code, and to amend Sections 14089.4, 14107.12, 14592, 15610.15, 15630, 15633.5, 15640, 15650, 15653.5, 15654, and 15658 of the Welfare and Institutions Code, relating to public health.</p> <p><u>Summary:</u> This bill adjusts the assessment of fees for electronic fingerprint images for organizations that provide services to Program of All-Inclusive Care for the Elderly participants. It also renames a bureau within the Department of Justice known as the Bureau of Medi-Cal Fraud and Elder Abuse to the Division of Medi-Cal Fraud and Elder Abuse throughout existing law. Further, this bill permits any opioid antagonist approved by the federal Food and Drug Administration (FDA) to be used to treat opioid overdose.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Kelly Sullivan</p>
--	-----------------------

Criminal Bail Schedule Bills	Notes
<p>Cosmetic Fragrance and Flavor Ingredient Right to Know Act of 2020. SB 312, Ch. 315, Stats. 2020</p> <p><u>Laws:</u> Adds § 594.39 to the Penal Code.</p> <p><u>Summary:</u> Creates a new misdemeanor making it unlawful to knowingly approach within 30 feet of any person while that person is within 100 feet of the entrance or exit of a vaccination site and is seeking to enter or exit a vaccination site, or any occupied motor vehicle seeking entry or exit to a vaccination site, for the purpose of obstructing, injuring, harassing, intimidating, or interfering with that person or vehicle occupant.</p> <p>A violation of this section is punishable by a fine not exceeding \$1,000, imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment.</p>	
<p>Exhibition of speed on a highway. AB 3, Ch. 611</p> <p><u>Laws:</u> Amend §§ 13352 and 23109 of the Vehicle Code.</p> <p><u>Summary:</u> Commencing July 1, 2025, the court may suspend or restrict a driver’s license for between 90 days and six months when a person violates VC § 23109(c) if the violation occurred as part of a “sideshow.” For purposes of this section, a “sideshow” is defined as an event in which two or more persons block traffic on a highway, for the purpose of performing motor vehicle stunts, motor vehicle speed contests, motor vehicle exhibitions of speed, or reckless driving, for spectators.</p> <p>When determining whether to suspend or restrict the driving privilege, the court shall also consider whether a medical, personal, or family hardship exists that requires a person to have a driver’s license for such limited purpose as the court deems necessary to address the hardship.</p>	<p>Operative 7/1/2025</p>

Wildlife: Dudleya: taking and possession.

AB 223, Ch. 370

Laws: Add § 2024 to the Fish and Game Code.

Summary: Makes it a crime to uproot, remove, harvest, or cut Dudleya from land owned by the state or a local government or from property not their own without written permission from the landowner in their immediate possession. Further, it is unlawful to sell, offer for sale, possess with intent to sell, transport for sale, export for sale, or purchase Dudleya that has been uprooted, removed, harvested, or cut. A violation of this section shall be punished as follows:

1. For a first conviction, where the total value is \$250 or more, the offense shall be a misdemeanor punishable by a fine of not less than \$5,000 and not more \$50,000, imprisonment in the county jail for not more than six months, or by both.
2. For a second or subsequent conviction, the offense shall be a misdemeanor punishable by a fine of not less than \$10,000 and not more than \$500,000, imprisonment in the county jail for not more than six months, or by both.
3. In addition to, and separate from, any criminal penalty provided, where applicable, the cost of replanting any Dudleya may be imposed by the court.

<p>Organized retail theft. AB 331, Ch. 113 <i>Laws:</i> Add and repeal § 490.4 of, and to add and repeal Chapter 13 (commencing with § 13899) of Title 6 of Part 4 of, the Penal Code, and declaring the urgency thereof, to take effect immediately. <i>Summary:</i> Re-enacts laws that sunset July 1, 2021 which established the crime of organized retail theft as a misdemeanor or a felony under PC § 490.4. These crimes now sunset January 1, 2026.</p>	<p>Operative 7/21/2021</p>
<p>Victim and witness privacy. AB 419, Ch. 91 <i>Laws:</i> Amend § 1054.2 of the Penal Code. <i>Summary:</i> Recasts and reaffirms that attorneys shall not share the personal identifying information of a victim or witness to a crime. Removes the misdemeanor crime of willful violation of this subdivision by an attorney, or persons employed by the attorney, under PC 1054.2(a)(3).</p>	
<p>Emotional support animals. AB 468, Ch. 168 <i>Laws:</i> Add Article 4 (commencing with § 122317) to Chapter 5 of Part 6 of Division 105 of the Health and Safety Code. <i>Summary:</i> Adds a new Health & Safety article governing the sale of “emotional support animals” and provides that written notice shall be provided that the dog is not a guide, signal, or service dog. States that knowingly and fraudulently representing oneself to be the owner or trainer or seller of any canine licensed as, qualified as, or identified, as a guide, signal, or service dog is a misdemeanor under existing Penal Code § 365.7.</p>	
<p>Olive oil labeling. AB 535, Ch. 466 <i>Laws:</i> Amend § 112895 of the Health and Safety Code. <i>Summary:</i> This bill requires a container of olive oil produced, processed, sold, offered for sale, given away, or possessed in California that includes “California” in any form on its principal display panel and contains olive oil derived from olives grown outside California to disclose the minimum percentage of olive oil in the container derived from olives grown in California. A violation of this section would constitute a misdemeanor under HS § 112935, punishable by a fine of not less than \$500 nor more than \$1,000, or by imprisonment in the county jail for not exceeding one year, or by both fine and imprisonment.</p>	

<p>Vessels: arrests. AB 591, Ch. 57</p> <p><u>Laws:</u> Amend § 40303.5 of the Vehicle Code.</p> <p><u>Summary:</u> This bill allows certain vessel violations to be correctible violations under VC § 40610, they are:</p> <ul style="list-style-type: none"> -VC § 9850, relating to expired vessel registration. -VC § 9853.2, relating to the display of vessel identification numbers. -H&N § 678.11(i), relating to possessing a vessel operator card. -CCR § 190.00(a) or (c) of Title 13, relating to the display of vessel identification numbers. -CCR § 190.01(k) of Title 13, relating to vessel registration stickers. -CCR § 6565.8(l) of Title 14, relating to personal floatation devices on vessels. -CCR § 6569(m) of Title 14, relating to serviceable fire extinguishers on vessels. -CCR § 6572(n) of Title 14, relating to markings on fire extinguishers on vessels. 	
<p>Crimes: perjury. AB 750, Ch. 267</p> <p><u>Laws:</u> Repeal and add § 118.1 of the Penal Code.</p> <p><u>Summary:</u> This bill clarifies an existing crime related to a peace officer making a false statement to another officer and have that statement included in a peace officer report. Expands the crime to include any material statement made in a peace officer report or to another peace officer, regarding a criminal investigation, knowing the statement to be false.</p>	

<p>Equestrian safety. AB 974, Ch. 175</p> <p><i>Laws:</i> Add Article 8 (commencing with § 21300) to Chapter 1 of Division 11 of the Vehicle Code.</p> <p><i>Summary:</i> Requires persons under the age of 18 to wear a helmet while riding an equestrian animal and requires all persons to use reflective gear while riding after dark. The specific provisions are as follows:</p> <ol style="list-style-type: none"> 1. Creates an infraction with a base fine of no more than \$25 for a person under the age of 18 to not wear a helmet while riding an equestrian animal on a paved road [VC § 21300(a)]. 2. Creates an infraction with a base fine of no more than \$25 for any person to not have reflective gear or a light, on either the person or the animal, while riding an equestrian animal during the hours of darkness [VC § 21300(b)]. 3. Provides that these requirements do not apply when a person is participating in a parade or festival, riding on unpaved roads, or while crossing from an unpaved road to an unpaved road [VC § 21300(c)]. 4. Provides that a court shall dismiss the first violation if the defendant swears under oath that this is their first violation [VC § 21300(e)]. 5. Provides that The parent or legal guardian having control or custody of an un-emancipated minor whose conduct violates this section shall be jointly and severally liable with the minor for the amount of the fine imposed [VC § 21300(f)(2)]. 	
<p>Grand theft of wages. AB 1003, Ch. 325</p> <p><i>Laws:</i> Add § 487m to the Penal Code.</p> <p><i>Summary:</i> Adds new Penal Code § 487m which creates the crime of grand theft of wages in an amount greater than \$950 from any one employee, or \$2,350 in the aggregate from two or more employees, by an employer in any consecutive 12-month period may be punished as grand theft.</p> <p>Defines “theft of wages” as the intentional deprivation of wages, gratuities, benefits, or other compensation by unlawful means with the knowledge that the wages, gratuities, benefits, or other compensation is due to the employee under the law.</p> <p>States that for purposes of this crime, “employee” includes an independent contractor.</p>	

<p>Air ambulance services. AB 1104, Ch. 476</p> <p><i>Laws:</i> Amend § 76000.10 of the Government Code, and to add § 14124.15 to the Welfare and Institutions Code, and declaring the urgency thereof, to take effect immediately.</p> <p><i>Summary:</i> This bill extended the imposition of the \$4 Emergency Medical Air Transportation and Children's Coverage Fund (EMAT) penalty for a violation of the Vehicle Code or local ordinance adopted pursuant to the vehicle Code, other than a parking offense, for one year, to December 31, 2022. The penalties assessed shall continue to be collected, administered, and distributed until exhausted or until December 31, 2023, whichever occurs first. The Legislature intends to finance air ambulance services through alternative means upon the sunset date of this extension, however, there are several qualifiers in the bill that may result in another extension.</p>	<p>Operative 10/5/2021</p>
<p>Rape of a spouse. AB 1171, Ch. 626</p> <p><i>Laws:</i> Amend §§ 2236.1, 2966, 10186.1, and 11319.2 of the Business and Professions Code, to amend §§ 1946.7 and 1946.8 of the Civil Code, to amend §§ 1036.2, 1103, and 1107 of the Evidence Code, to amend §§ 3044 and 6930 of the Family Code, to amend §§ 13956 and 53165 of the Government Code, to amend §§ 136.2, 136.7, 209, 261, 261.6, 261.7, 264, 264.1, 264.2, 273.7, 290, 292, 667, 667.5, 667.51, 667.6, 667.61, 667.71, 667.8, 667.9, 679.02, 680, 784.7, 799, 868.5, 1048, 1127e, 1170.12, 1192.5, 1202.1, 1203.055, 1203.06, 1203.066, 1203.067, 1203.075, 1203.08, 1203.09, 1270.1, 1346.1, 1387, 1524.1, 1601, 2933.5, 2962, 3000, 3053.8, 3057, 11105.3, 11160, 12022.3, 12022.53, 12022.8, 12022.85, 13701, 13750, 13837, and 14205 of, and to repeal § 262 of, the Penal Code, to amend § 5164 of the Public Resources Code, to amend § 4467 of the Vehicle Code, and to amend §§ 6500 and 15610.63 of the Welfare and Institutions Code.</p> <p><i>Summary:</i> This bill repeals sections of the Penal Code related to spousal rape [PC § 262], and expands the circumstances under which “rape,” under PC § 261, is defined to include: where a spouse submits to sexual intercourse under false pretenses; or where the offending spouse fraudulently represents that the sexual penetration serves a professional purpose.</p> <p><i>Double-jointing language with the following bills:</i></p> <p>AB 939 (Ch. 529). <i>SEC 8.1 of this bill contains the operative version of Evidence Code § 1103.</i></p> <p>SB 320 (Ch. 685) and AB 1579 (Ch. 213). <i>Since SB 320 has the highest chapter number, the operative version of Family Code § 3044 is contained in SEC. 2.7 of SB 320.</i></p> <p>SB 299. <i>Since SB 299 was not enacted, SEC. 12 of AB 1171 contains the operative version of Government Code § 13956.</i></p>	

<p>Reproductive health care services. AB 1356, Ch. 191</p> <p><u>Laws:</u> Amend §§ 6218, 6218.01, and 6218.05 of the Government Code, and to amend §§ 423.1, 423.2, 423.3, 13776, 13777, 13777.2, and 13778 of, and to add § 13778.1 to, the Penal Code.</p> <p><u>Summary:</u> This bill expands various crimes as it relates to reproductive health centers.</p> <ol style="list-style-type: none"> 1. Increases the fine for a misdemeanor violation of Government Code § 6218.01 to include a fine of up to \$10,000 (instead of \$2,500). And, that a violation of that section that leads to bodily injury may be punishable by a fine of up to \$50,000 (instead of \$5,000), and/or one year in jail. 2. Expands the crimes provided in the PC § 423.2 to include subdivision (g) videotaping persons entering a reproductive health center with the specific intent to intimidate, and subdivision (h) posting video obtained under subdivision (g) to social media or the internet, in any way, with the specific intent to intimidate. 3. Increases the fine for a misdemeanor violation of PC § 423.2(c), (d), (g) or (h) may be punishable by a fine of up to \$10,000 (instead of \$2,500) and/or one year in jail. A second or subsequent violation may be punishable by a fine of up to \$25,000 (instead of \$5,000), and/or one year in jail. [amended section is PC § 423.3] 4. Reorganizes the punishment for a violation of PC § 423.2(a) or (b) but keeps the fine at \$25,000 and/or one year in jail. 	
<p>Short-term rental ordinances: fines. SB 60, Ch. 307</p> <p><u>Laws:</u> Amend §§ 25132 and 36900 of the Government Code, and declaring the urgency thereof, to take effect immediately.</p> <p><u>Summary:</u> Amends both GC § 25132 and § 36900 to provide that a violation of a county’s or city’s short-term rental ordinance that is an infraction is punishable by the following:</p> <ol style="list-style-type: none"> 1. A fine not exceeding one thousand five hundred dollars (\$1,500) for a first violation. 2. A fine not exceeding three thousand dollars (\$3,000) for a second violation of the same ordinance within one year. 3. A fine not exceeding five thousand dollars (\$5,000) for each additional violation of the same ordinance within one year of the first violation. <p>The fine limits set by this subdivision apply only to infractions that pose a threat to public health or safety. The fines described in this subdivision shall not apply to a first-time offense of failure to register or pay a business license fee.</p>	<p>Operative 9/24/2021</p>

Vaccination sites: unlawful activities.

SB 742, Ch. 737

Laws: Add § 594.39 to the Penal Code, and declaring the urgency thereof, to take effect immediately.

Operative 10/8/2021

Summary: Creates a new misdemeanor making it unlawful to knowingly approach within 30 feet of any person while that person is within 100 feet of the entrance or exit of a vaccination site and is seeking to enter or exit a vaccination site, or any occupied motor vehicle seeking entry or exit to a vaccination site, for the purpose of obstructing, injuring, harassing, intimidating, or interfering with that person or vehicle occupant.

A violation of this section is punishable by a fine not exceeding \$1,000, imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment.

Family	Notes
<p>Domestic violence: personal property and liens. AB 2517, Ch. 245, Stats. 2020</p> <p><u>Laws:</u> An act to add Section 6342.5 to the Family Code, relating to domestic violence.</p> <p><u>Summary:</u> Effective January 1, 2022, this bill seeks to protect victims of domestic violence from being financially abused by their abusers and provide a remedy for this situation. In addition to physical abuse, allows a court to make a finding of domestic violence and to make a finding that specific debts were incurred as a result of domestic violence. Provides that such an order may include a finding without the consent of the party. Requires the Judicial Council to adopt or modify any forms necessary to effectuate this bill.</p> <p><u>Court Impact.</u> <i>Inform judicial officers, family law facilitators and court operations staff of the amendments to family code. Revise any court operational procedures to add any new/modified judicial council forms.</i></p>	<p style="text-align: center;">From 2020 New Laws Operative 01/01/2022</p> <p style="text-align: center;">Sara MacCaughey</p>

<p>Human services omnibus.</p> <p>AB 135, Ch. 85</p> <p><u>Laws:</u> An act to amend Section 695.221 of the Code of Civil Procedure, to amend Section 17706 of, and to amend, repeal, and add Section 17400 of, the Family Code, to amend Section 12730 of, to add Section 12087.2 to, to add and repeal Section 16367.51 of, and to add and repeal Article 12 (commencing with Section 16429.5) of Chapter 2 of Part 2 of Division 4 of Title 2 of, the Government Code, to amend Sections 1522.41, 1562.3, 1569.616, and 1569.617 of, and to amend, repeal, and add Section 1418.8 of, the Health and Safety Code, to amend Sections 4620.4, 6509, 9121, 10831, 10836, 11004.1, 11054, 11330.5, 11450.025, 11454, 12201.06, 12300, 12300.4, 12306.1, 12306.16, 13276, 15204.35, 15610.10, 15610.55, 15610.57, 15630, 15701.05, 15750, 15763, 15770, 15771, 16523, 16523.1, 18900.7, 18900.8, 18901.10, 18918.1, 18919, 18999.1, 18999.2, 18999.4, and 18999.6 of, to amend, repeal, and add Sections 11004, 11203, 11450.12, and 18930 of, to add Sections 9104, 10618.8, 10823.6, 11011.2, 11523.4, 11523.5, 11523.6, 11523.7, 12300.5, 12301.61, 15610.02, 15651, 15767, 16523.2, 18900.3, 18900.4, 18900.9, and 18927.1 to, to add Chapter 3.6 (commencing with Section 9260) to Division 8.5 of, to add Chapter 5.9 (commencing with Section 13650) to Part 3 of Division 9 of, to add and repeal Chapter 4.8 (commencing with Section 8154) of Division 8 of, to repeal Sections 12301.01, 12301.02, 12301.03, 12301.04, 12301.05, and 13409 of, and to repeal and amend Section 11450 of, the Welfare and Institutions Code, and to repeal Sections 92 and 93 of Chapter 11 of the Statutes of 2020, relating to human services, and making an appropriation therefor, to take effect immediately, bill related to the budget.</p> <p><u>Summary:</u> Amended and added Section 17400 of the Family Code, relating to Child Support e-signature. Effective July 1, 2021 authorizes the child support agency to substitute original signatures of the child support agency, support obligors or obligees with any form of electronic signature, with a printed copy or electronic image of an electronic signature obtained in compliance with specified requirements. Extends the suspension of the state's child support program incentive program through the 2021-2022 and 2022-2023 fiscal years.</p> <p><u>Court Impact:</u> Inform judicial officers, family law facilitators and court operations staff of the amendments to the Family Code. Revise any internal court operational procedures and have any necessary conversations with your local child support agencies. Review CRC 2.257 for requirements for signatures on documents.</p>	<p>Sara MacCaughey</p>
--	------------------------

<p>Domestic violence: victims: address confidentiality. AB 277, Ch. 457</p> <p><u>Laws:</u> An act to add Section 6226.5 to the Family Code, and to amend Sections 6206 and 6209.5 of, and to add Section 6209.6 to, the Government Code, relating to domestic violence.</p> <p><u>Summary:</u> Adds Section 6226.5 to the Family Code. Amends Sections 6206 and 6209.5 and adds 6209.6 to the Government Code.</p> <p>Requires as of January 1, 2023, the Secretary of State (SOS) to provide application forms, notices and explanatory materials related to the <i>Safe at Home</i> program available in at least five languages and requires information about the program be included on the Judicial Council forms relating to domestic violence.</p> <p>Requires as of January 1, 2023, the Judicial Council to amend the form DV-500-INFO titled "Can a Domestic Violence Restraining Order Help Me?" to include information about the <i>Safe at Home</i> program and be available in at least five languages.</p> <p><u>Court Impact:</u> <i>Inform judicial officers, family law facilitators and court operations staff. Be on the lookout for these new/modified judicial council forms.</i></p>	<p>Sara MacCaughey</p>
<p>Child support: access to records. AB 429, Ch. 52</p> <p><u>Laws:</u> An act to amend Section 7643 of, and to add Section 7643.5 to, the Family Code, relating to family law.</p> <p><u>Summary:</u> Effective January 1, 2023, eliminates the provisions governing the confidentiality of proceedings and records under the Uniform Parentage Act (UPA), except in parentage cases involving assisted reproduction.</p> <p><u>Court Impact:</u> <i>Inform judicial officers, family law facilitators and court operations staff of the amendments to family code. Revise any court operational procedures to add any new/modified judicial council forms. Make any necessary changes to your case/document management systems.</i></p>	<p>Sara MacCaughey</p>

<p>Recognition of tribal court orders: rights in retirement plans or deferred compensation. AB 627, Ch. 58 <u>Laws:</u> An act to amend Sections 1731, 1733, 1735, 1736, and 1737 of, and to add Section 1733.1 to, the Code of Civil Procedure, and to add Section 2611 to the Family Code, relating to civil actions.</p> <p><u>Summary:</u> Establishes procedures for California courts to recognize tribal court family law orders involving the division of retirement and other deferred compensation benefits. Establishes procedures for submitting the application and requires the Judicial Council to adopt a form for the application.</p> <p><u>Court Impact:</u> <i>Inform judicial officers, family law facilitators and court operations staff. Revise any court operational procedures to add any new/modified judicial council forms. Make any necessary changes to your case/document management systems.</i></p>	<p>Sara MacCaughey</p>
<p>Adoption: stepparent adoption. AB 746, Ch. 199 <u>Laws:</u> An act to amend Section 9000.5 of the Family Code, relating to adoption.</p> <p><u>Summary:</u> This bill clarifies, in stepparent adoptions, that there is no minimum amount of time that a couple must be in a legally-recognized union i.e. marriage or domestic partnership before becoming eligible for stepparent adoption and the parties cannot be required to provide verification of their income or education.</p> <p><u>Court Impact:</u> <i>Inform judicial officers, court investigators and court operations staff.</i></p>	<p>Sara MacCaughey</p>

<p>Domestic violence: restraining orders. AB 887, Ch. 681</p> <p><u>Laws:</u> An act to add Sections 6306.5 and 6306.6 to the Family Code, relating to domestic violence.</p> <p><u>Summary:</u> Provides that subject to appropriation of funding, requires courts to accept petitions for domestic violence temporary or permanent restraining orders to be submitted electronically in every trial court. Notice of the court hearing and copies shall be remitted to the petitioner electronically unless the petitioner elects to receive the documents by regular mail or pick up from the court.</p> <p>Requires that information about access to self-help services regarding domestic violence restraining orders be prominently visible on a court's website. Requires the Judicial Council to develop or amend rules to implement this.</p> <p><u>Court Impact.</u> <i>Speak with your CEO/director for information related to your court. Review entire bill for courts in the process of expanding or implementing a new electronic filing system. Inform judicial officers, family law facilitators and court operations staff. Revise any internal court operational procedures/websites.</i></p> <p><i>See SB 538 for other provisions.</i></p>	<p>Sara MacCaughey</p>
<p>Civil procedure: restraining orders. AB 1143, Ch. 156</p> <p><u>Laws:</u> An act to amend Section 527.6 of the Code of Civil Procedure, relating to civil procedure.</p> <p><u>Summary:</u> This bill seeks to eliminate unnecessary statutory rigidity in cases involving civil harassment restraining orders. Provides that in lieu of personal service of a petition for civil harassment, if a respondent's address is unknown, the court may authorize another method of service. Requires that a petitioner must make a diligent effort to serve the respondent and provide that alternative service is only permitted if the petitioner has been unable to accomplish personal service, and that there is reason to believe that the respondent is evading service or cannot be located.</p> <p><u>Court Impact.</u> <i>Inform judicial officers, family law facilitators and court operations staff of the amendments to civil code. Revise any internal court operational procedures.</i></p>	<p>Family and Civil Impact</p> <p>Sara MacCaughey</p>

<p>Protective orders: elder and dependent adults. AB 1243, Ch. 273</p> <p><u>Laws:</u> An act to amend, repeal, and add Section 15657.03 of the Welfare and Institutions Code, relating to protective orders.</p> <p><u>Summary:</u> Effective January 1, 2023, allows after notice and a hearing, an interested party to seek a protective order for isolation of an elder or dependent adult under the Elder Abuse and Dependent Adult Civil Protection Act (EADACPA) and for the court to make a finding that specific debt was incurred as a result of financial abuse. Requires the Judicial Council to revise or create forms necessary to implement this bill.</p> <p><u>Court Impact.</u> <i>Inform judicial officers, family law facilitators and court operations staff of the amendments. Look for new or modified judicial council forms.</i></p>	<p>Family Law and Probate Impact</p> <p>Sara MacCaughey</p>
<p>Domestic violence: protective orders: information pertaining to a child. SB 24, Ch. 129</p> <p><u>Laws:</u> An act to add Section 6323.5 to the Family Code, relating to domestic violence.</p> <p><u>Summary:</u> Effective January 1, 2023, authorizes a court to include in an ex parte restraining order a provision restraining a party from accessing records and information pertaining to the minor child of the parties. Requires certain third parties that provide essential care provider services to children adopt protocols by February 1, 2023, to ensure that restrained parties are not able to access records or information pertaining to the child. Non-essential services to children are required to adopt protocols only if they are provided with a copy of the restraining order issued. Requires the Judicial Council to update forms or rules necessary.</p> <p><u>Court Impact.</u> <i>Inform judicial officers, family law facilitators and court operations staff. Revise any court operational procedures to add any new/modified judicial council forms. Review Judicial Council Forms DV-160 and DV-170.</i></p>	<p>Sara MacCaughey</p>

**Civil actions: shorthand reporters, remote appearances,
extension of deadlines applicable to discovery, electronic service of documents,
minor's compromise petitions.**

SB 241, Ch. 214

Laws: An act to amend, repeal, and add Section 8050 of, and to add and repeal Section 8051 of, the Business and Professions Code, to amend Sections 599 and 1010.6 of, and to add and repeal Section 367.75 of, the Code of Civil Procedure, and to add Section 3505 to the Probate Code, relating to civil actions.

Summary: This bill affects the Business and Professions Code, the Code of Civil Procedure, and the Probate Code.

- As it relates to the Business and Professions Code, existing law provides for the licensure and regulation of shorthand reporters by the Court Reporters Board of California (the "Board"), within the Department of Consumer Affairs. The current law subjects a person or entity to certain penalties if they engage in certain acts relating to shorthand reporting or acts constituting the same, unless the person or entity is a licensed shorthand reporter, reporting corporation, or a person or entity not subject to those provisions. This bill, on and after July 1, 2022 and until January 1, 2024, authorizes an entity that is not a shorthand reporting corporation to engage in those specific acts if the entity is approved for registration by the Board after meeting certain requirements, including the designation of a board-certified reporter-in-charge. If approved by the Board, registration would be valid for one year and would also provide for the suspension and revocation of said registration by the Board under certain circumstances. A directory of registered entities is required to be made available on the Board's website and further authorizes the Board to adopt regulations and implement those provisions. Because it is a crime to violate provisions regulating shorthand reporting, this bill expands the provisions to apply to new registrants and thus expands the scope of a crime by violation of the provisions regulating shorthand reporting to these new registrants.
- As it relates to the Code of Civil Procedure:
 - (1) Until July 1, 2023 this bill authorizes a party to appear remotely for a court conference, hearing, proceeding, and trial through the use of remote technology. While the bill authorizes the court to require a party or witness to appear in person at any of the same, it prohibits a court from requiring a party to appear remotely. It further allows self-represented parties to appear remotely only if they agree to do so. The bill requires the court to have a process for a party, court reporter, court interpreter, or other court personnel to alert the judicial officer of technology or audibility issues. The bill also requires the Judicial Council to adopt rules to implement these above provisions.
 - (2) Existing law provides that unless otherwise ordered by the court or agreed to by the parties, a continuance or postponement of a trial date extends any deadlines, that have not already passed as of March 19, 2020, applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions for the same length of time as the continuance or

**Administration, Civil,
Family Law, Probate,
Juvenile Delinquency and
Juvenile Dependency
Impact**

Jamie Newbold

postponement of the trial date. This bill applies these provisions to the continuance or postponement of an arbitration date.

(3) Existing law authorizes a court to electronically serve any document issued by the court that is not required to be personally served on a party that has agreed or consented to accept electronic service, with the same legal effect as service by mail, except as specified. This bill, on or after July 1, 2024, instead requires the court to electronically transmit those documents on a party that has agreed or consented to accept electronic service.

- As it relates to the Probate Code:

(1) Existing law authorizes a minor's parent to compromise, or execute a covenant not to sue or not to enforce a judgment on, a claim on behalf of the minor if the minor has a disputed claim for damages, money, or other property and does not have a guardian of the estate. This bill requires the court to schedule a hearing on a petition to compromise a minor's disputed claim within 30 days of the date filed and if the petition is unopposed, the court is required to enter a decision at the conclusion of the hearing.

Court Impact: Inform judicial officers and court staff of changes in the law. Operational impacts include:

With regards to remote appearances in non-Criminal matters: The Judicial Council is, as required by the bill, currently developing Rules surrounding the implementation of CCP367.75. Draft rules as of 11/19/2021 would expand the CCP367.75 requirements to encompass both video and audio (telephonic) appearances, the latter of which are currently governed by CCP367.5 (which has not been amended or repealed) and various Rules of Court. Depending on the outcome of the proposed Rules, case parties and Courts may be required to undergo a formal noticing process not only for video appearances, but for telephonic appearances as well. This would require significant updates to business processes for Courts currently allowing telephonic appearances using an 'informal' notification process as provided for in CCP367.5.

Further, as CCP367.75 provides for a presumption of allowing remote (video) appearance on request in non-Criminal matters (excluding Dependency matters), Courts will need to develop processes to 1) provide for submission of remote appearance requests (proposed Rules currently include potentially mandatory forms for this purpose), 2) evaluate the Court's ability to comply with the requests on a case-by-case/hearing-by-hearing basis, 3) notify parties accordingly, and 4) provide the technological means for these appearances to occur (note, however, that a Court may deny a remote appearance request due to lack of available technology, or for other specified reasons as specific in CCP367.75, again on a case-by-case basis). In addition, the Court must have a process in place to allow participants in the hearing (e.g. parties, witnesses, court reporters, interpreters, and other Court staff) to alert the judicial officer of any audibility or similar technological issues that may arise during the course of the remote proceeding.

Finally, the Court must also make information regarding remote appearances options and procedures available to self-represented litigants. The requirements for such notification will likely be specified in the pending Rule(s) and require posting of the corresponding information on the Court's website.

All of the above impacts will apply, at a minimum, to all video appearances in non-Criminal, non-Dependency matters, and may also expand to telephonic appearances in those case types depending on the outcome of the proposed Rules.

CCP367.75 has similar effects on Dependency matters, with the primary differences being that 1) remote appearance requests must first be approved by the Court and 2) remote appearance requests may be objected to by any party to the case. In the case of witnesses, remote appearances are only permissible if all parties have consented. As such, the Court will need to develop an altered remote appearance request/notification process for Dependency matters that takes these nuances into account.

*Note: in no circumstance does CCP367.75 allow the Court to **require** a party to appear remotely.*

With regards to Electronic Service by the Court: *While electronic service by a Court to parties who have affirmatively agreed to accept electronic service is currently permitted, because electronic service by Courts to said parties will become mandatory effective 7/1/2024 Courts will need to ensure that they have an electronic service process in place by that time.*

With regards to matters filed under Probate Code 3500 (Minor's Compromise): *Courts will need to update their business processes to set a hearing date within 30 days of filing of the Claim.*

<p>Domestic violence protective orders: possession of a firearm. SB 320, Ch. 685</p> <p>Laws: An act to amend Sections 3044, 6304, 6306, 6323, and 6389 of, and to add Section 6322.5 to, the Family Code, to amend Sections 11108.2, 25555, 26379, 26405, 26540, and 30342 of the Penal Code, and to amend Section 213.5 of the Welfare and Institutions Code, relating to domestic violence.</p> <p>Summary: Codifies existing Rules of Court related to the relinquishment of a firearm by a person subject to a civil domestic violence restraining order and requires the courts to notify law enforcement and the county prosecutor's office when there has been a violation of a firearm relinquishment order.</p> <p>Major provisions summarized:</p> <ul style="list-style-type: none">• Requires the court when issuing a protective order to provide information about relinquishment of any firearms/ammunition and when holding a hearing, review the file to determine if receipt has been received.• Report any violations of firearm prohibitions to the prosecuting attorney, within two business days of the hearing, unless the restrained party shows proof of compliance at a subsequent hearing.• Requires the juvenile court, when issuing a DVRO to make a determination as to whether the restrained person is in possession or control of a firearm/ammunition and applies the procedures for firearm relinquishment.• Requires law enforcement agencies to develop and implement written policies and standards who require immediate relinquishment of firearms/ammunition.• Authorizes a person who is prohibited from owning firearms/ammunition to transfer or relinquish the firearm/ammunition for storage, but exempts selling more than 500 rounds in a 30-day period. <p>Court Impact. <i>Inform judicial officers, LEA's, family law facilitators and court operations staff. Revise any internal court operational procedures. Review Judicial Council Forms DV-800-INFO and DV-800.</i></p>	<p style="text-align: center;">Family Law and Juvenile Impact</p> <p style="text-align: center;">Sara MacCaughey</p>
--	---

<p>Protective orders: reproductive coercion. SB 374, Ch. 135</p> <p><u>Laws:</u> An act to amend Section 6320 of the Family Code, relating to protective orders.</p> <p><u>Summary:</u> Family Code Section 6320(c) is modified to add prohibition of engaging in reproductive coercion to a protective order issued under the Domestic Violence Prevention Act.</p> <p>Reproductive coercion consists of control over the reproductive autonomy of another through force, threat of force, or intimidation, and may include, but is not limited to, unreasonably pressuring the other party to become pregnant, deliberately interfering with contraception use or access to reproductive health information, or using coercive tactics to control, or attempt to control, pregnancy outcomes.</p> <p><u>Court Impact:</u> <i>Inform the bench officers that hear matters under the Domestic Violence Prevent Act of the additional prohibition that may be ordered. Update resource materials and court orders as necessary. Train courtroom staff on the changes and update the Court Case Management System as necessary to record the new prohibition. Coordinate as necessary with justice partners.</i></p>	<p>Criminal and Family Law Impact</p> <p>Sarah Lind</p>
<p>Domestic violence and gun violence restraining orders. SB 538, Ch. 686</p> <p><u>Laws:</u> An act to amend Section 6222 of, and to add Sections 6307 and 6308 to, the Family Code, and to amend Section 18121 of, to add Section 18123 to, and to repeal and add Section 18122 of, the Penal Code, relating to restraining orders.</p> <p><u>Summary:</u> Requires by July 1, 2023, that a court that receives petitions for DVRO or GVRO to permit those petitions to be submitted electronically during and after normal business hours. Provides that a party or witness may appear remotely at the hearing for DVRO or GVRO. Requires the court of each county to develop local rules and instructions for remote appearances and requires that they be posted on the court’s website. The website requires a phone number for the public to call to obtain assistance regarding remote appearances.</p> <p><u>Court Impact:</u> <i>Inform judicial officers, family law facilitators and court operations staff. Revise any internal court operational procedures/websites. Refer to AB 887 for other provisions.</i></p>	<p>Sara MacCaughey</p>

<p>Child custody. SB 654, Ch. 768</p> <p>Laws: An act to amend Sections 3011 and 3042 of the Family Code, relating to child custody.</p> <p>Summary: Extends the requirement that a court state its reasons in writing or on the record when it grants sole or joint custody to someone, despite allegations of abuse, neglect, or substance abuse against them, and to orders granting unsupervised visitation to someone with allegations of abuse.</p> <p>Prohibits a court from permitting a child who is addressing the court regarding custody or visitation to do so in the presence of the parties, unless the court determines that it is in the child's best interest and states its reasons for that finding on the record.</p> <p>Requires minor's counsel, an evaluator, investigator or child custody recommending counselor that at any point if the child informs them that they have changed their choice with respect to addressing the court, to notify the judge, parties and attorney's as soon as feasible.</p> <p>Requires the Judicial Council by January 1, 2023 to develop or amend rules as necessary to implement this bill.</p> <p>Court Impact: <i>Inform judicial officers, minor's counsel, an evaluator, investigator, or child custody recommending counselor of the amendments to the law.</i></p>	<p>Sara MacCaughey</p>
---	------------------------

Family Informational Bills	Notes
<p>Public Safety. AB 173, Ch. 253</p> <p><u> Laws:</u> Amends Sections 171c, 11106, 13202, 14230, 14231, 14231.5, 14236, 28220, 30000, 30352, and 30452 of, and to add Chapter 3 (commencing with Section 14240) to Title 12.2 of Part 4 of, the Penal Code, and to add Section 8106 to the Welfare and Institutions Code.</p> <p><u> Summary:</u> Existing law prohibits the bringing or possession of a loaded firearm or other specified weapon to the State Capitol and legislative offices and makes it punishable as either a misdemeanor or a felony. This bill adds the State Office Building located at 1021 O Street in Sacramento as an additional location where such actions would be prohibited. It also clarifies the process and parameters of disclosure of specified information to the California Firearm Violence research Center at UC Davis by the Department of Justice (DOJ) for research or statistical activities.</p> <p><u> Court Impact:</u> <i>Judicial officers should be informed.</i></p>	<p>Sara MacCaughey</p>
<p>Licensed Professional Clinical Counselor Act. AB 462, Ch. 440</p> <p><u> Laws:</u> An act to amend Sections 4980.03, 4999.12, 4999.20, 4999.46, and 4999.60 of the Business and Professions Code, and to amend Section 3110.5 of the Family Code, relating to healing arts.</p> <p><u> Summary:</u> Deletes the requirement that an applicant for licensure as a professional clinical counselor (LPCCS) complete 150 hours in a hospital or community health setting. Eliminates the additional coursework requirements necessary for LPCCs to assess and treat couples and families.</p> <p><u> Court Impact:</u> <i>Informational only.</i></p>	<p>Sara MacCaughey</p>
<p>Safe at Home program: homeowners' associations. AB 611, Ch. 151</p> <p><u> Laws:</u> An act to add Section 5216 to the Civil Code, relating to confidential information.</p> <p><u> Summary:</u> Requires homeowner associations (HOAS) to keep member participation in the <i>Safe at Home</i> program confidential and upon request of a member who is an active participant in the <i>Safe at Home</i> program accept and use the substitute address designated by the Secretary of State under this program for all HOA communications, and to withhold or redact information that would reveal the name, community property address or email of the member.</p> <p><u> Court Impact:</u> <i>Informational only.</i></p>	<p>Sara MacCaughey</p>

Family Informational Bills	Notes
<p>Financial abuse of elder or dependent adults. AB 636, Ch. 621</p> <p><u>Laws:</u> An act to amend Section 15633.5 of the Welfare and Institutions Code, relating to elder and dependent adult abuse.</p> <p><u>Summary:</u> This bill will authorize information relevant to the incident of elder or dependent abuse to be given to a federal law enforcement agency or a local code enforcement agency charged with the investigation of elder or dependent abuse.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Sara MacCaughey</p>
<p>Domestic violence. AB 673, Ch. 680</p> <p><u>Laws:</u> An act to amend Section 13823.15 of the Penal Code, relating to domestic violence.</p> <p><u>Summary:</u> Requires a portion of any grant funded by the state and awarded through CAL OES to a local domestic violence center or shelter service provider (DVSSP) to be distributed to the recipient in a single disbursement at the beginning of the grant period.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Sara MacCaughey</p>
<p>Comprehensive Statewide Domestic Violence Program. AB 689, Ch. 152</p> <p><u>Laws:</u> An act to amend Section 13823.15 of the Penal Code, relating to domestic violence.</p> <p><u>Summary:</u> Requires the California Governor’s Office of Emergency Services (Cal OES) to provide financial and technical assistance to local domestic violence centers in implementing 24-hour crisis communication systems that include 24-hour phone services and may also include other communication methods offered on a 24-hour or intermittent basis, such as text messaging or computer chat.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Sara MacCaughey</p>

<p>Marriage and family therapists: clinical social workers: professional clinical counselors. AB 690, Ch. 747</p> <p>Laws: An act to amend Sections 4980.01, 4980.43, 4980.43.2, 4980.43.3, 4980.43.4, 4980.46, 4992.10, 4996.14, 4996.15, 4996.23, 4996.23.1, 4996.23.2, 4996.23.3, 4999.22, 4999.46, 4999.46.2, 4999.46.3, 4999.46.4, and 4999.72 of, to amend and renumber Section 4999.24 of, and to add Sections 4980.05, 4980.06, 4996.14.1, 4996.14.2, 4999.25, and 4999.26 to, the Business and Professions Code, relating to healing arts.</p> <p>Summary: Clarifies the types of settings where registrants and trainees may practice and gain required supervised experience hours toward licensure as marriage and family therapists, clinical social workers, and professional clinical counselors. Defines private practices and professional corporations as nonexempt settings, as specified. Expands the number of supervisees per supervisor in nonexempt settings from three to six individuals.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Sara MacCaughey</p>
<p>Contempt of court: victim intimidation. AB 764, Ch. 704</p> <p>Laws: An act to amend Section 166 of the Penal Code, relating to contempt of court.</p> <p>Summary: This bill specifies that a person who is the subject of a restraining order who has previously been convicted of stalking, may be punished for contempt of court punishable by a maximum of one year in jail, for willfully contacting a victim by social media, electronic communication, or by electronic device.</p> <p>Court Impact: <i>Informational for Judicial Officers.</i></p>	<p>Sara MacCaughey</p>
<p>Firearms. AB 1057, Ch. 682</p> <p>Laws: An act to add Section 6216 to the Family Code, and to amend, repeal, and add Section 16520 of the Penal Code, relating to firearms.</p> <p>Summary: This bill expands the definition of a firearm to include a frame or receiver of the weapon or a firearm precursor part, expanding the scope of existing crimes. Adds Section 6216 to the Family Code and 16520 to the Penal Code. This addition will close a loophole for emergency Gun Violence Restraining Orders (GVRO's) by including ghost guns in the definition of items subject to seizure when a person is deemed by the court to be a threat to themselves or others. This bill ensures that these readily available weapons which look and act like any other firearm are treated appropriately.</p> <p>Court Impact: <i>Informational only.</i></p>	<p>Sara MacCaughey</p>

<p>Family law omnibus.</p> <p>AB 1579, Ch. 213</p> <p><u>Laws:</u> An act to amend Sections 3044 and 3201 of the Family Code, relating to family law.</p> <p><u>Summary:</u> Corrects inaccurate cross-references in the Family Code. Specifically, this bill:</p> <ol style="list-style-type: none">1) Corrects an erroneous cross reference by correctly referring to Family Code Section 3011(a)(2)(A) for a list of people against whom a person seeking custody of a child may have perpetrated domestic violence.2) Corrects an erroneous cross-reference by requiring that any court-ordered supervised visitation be administered according to Standard 5.20 of the California Standards of Judicial Administration recommended by the Judicial Council. <p><u>Court Impact.</u> <i>Informational only.</i></p>	<p>Sara MacCaughey</p>
--	------------------------

Juvenile Dependency	Notes
<p>Developmental services. AB 136, Ch. 76</p> <p><i>Laws:</i> In part, amends Section 1502 of the Health and Safety Code, amends Sections 361.2 and 727 of the Welfare and Institutions Code and adds sections 4684.76 and 4684.77 to the Welfare and Institutions Code.</p> <p><i>Summary:</i> This bill amends the definitions and licensing requirements of Group Homes for Children with Special Health Care Needs (GHCSHCN) and specifies the definition and required needs of a minor under the jurisdiction of the Juvenile Court who can be placed in a GHCSHCN.</p> <p><i>Court Impact:</i> <i>To the extent social workers and/or probation officers may refer to these qualifications in their reports to the court, courts may need to develop specific codes for case management systems if these findings are included in the minute orders.</i></p>	<p>Juvenile and Mental Health Impact</p> <p>Shelley Coffey</p>

<p>Public social services.</p> <p>AB 153, Ch. 86</p> <p>Laws: An act to amend Sections 7908, 7910, and 7912 of, and to repeal and add Sections 7911 and 7911.1 of, the Family Code, to amend Sections 1502, 1562.01, and 50807 of, and to add Chapter 11.8 (commencing with Section 50811) and Chapter 11.9 (commencing with Section 50820) to Part 2 of Division 31 of, the Health and Safety Code, and to amend Sections 319, 319.3, 358.1, 361.2, 361.21, 366, 366.1, 366.3, 366.31, 636, 706.5, 706.6, 727.1, 727.2, 4096, 4096.5, 4648, 11402, 11403.3, 11461.3, 11461.36, 11462.01, 11463, 11465, 16010.7, 16121, 16501, 16501.1, 16521.6, 16521.8, and 16530 of, to add Sections 361.22, 727.12, 4096.55, 4096.6, 11402.005, 16001.1, 16010.9, and 18257.5 to, to add Chapter 6 (commencing with Section 16550) and Chapter 7 (commencing with Section 16585) to Part 4 of Division 9 of, and to add and repeal Chapter 16 (commencing with Section 18997) of Part 6 of Division 9 of, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor, to take effect immediately, bill related to the budget.</p> <p>Summary: This bill details the description, licensing and use of short-term residential therapeutic programs (STRTP) as well as out of state placement of children. This bill requires all minors placed in out of state residential facilities under the Interstate Compact for Placement of Children (ICPC) to be returned to California no later than Jan. 1, 2023, except for placements described by Family Code 7911.1(h). This bill mandates new review hearings by the Juvenile Court for minors placed in STRTP's with specific notice and documentation requirements. This bill makes changes to multiple Codes to conform to the new requirements.</p> <p>Court Impact. <i>Juvenile Courts should be aware of Rule of Court 5.618 (adopted 10/1/21) which governs the review hearings regarding placement in short-term residential therapeutic programs (STRTP). New forms have also been developed for use (JV-235, JV-236, JV-237, JV-238 and JV-239); these are mandatory forms which were adopted 10/1/21. Juvenile Courts should have new procedures in place for the processing of these forms and calendaring hearings; Juvenile Courts should expect an increase in hearings commensurate with the number of minors in your county placed in STRTP's. To the extent Judicial Officers are making additional findings on the record, courts will want to make sure their case management systems are configured to record the findings in the minutes. *With regard to children no longer being placed out of state through the ICPC process, it is important to note pursuant to FC 7911.1(h) that this does not apply to the placement of Indian children as defined by ICWA and WIC 224.1, nor does it apply to placement of emotionally disturbed children made pursuant to an IEP if the placement is not funded with federal or state foster care funds.</i></p>	<p>Shelley Coffey</p>
--	-----------------------

<p>Human services. AB 172, Ch. 696</p> <p>Laws: In part, amends Sections 361.2 and 4096 of the Welfare and Institutions Code.</p> <p>Summary: This bill is related to AB 136 in that it defines a "group home for children with special health care needs." This bill also specifies that group homes in which minors under the jurisdiction of the Juvenile Court can be placed be vendored by a regional center.</p> <p>Court Impact: <i>No additional impact other than stated in AB 136.</i></p>	<p>Shelley Coffey</p>
<p>Guardianships. AB 260, Ch. 578</p> <p>Laws: An act to amend Section 68511.1 of the Government Code, to amend Sections 1511 and 1513 of the Probate Code, and to amend Sections 329 and 331 of the Welfare and Institutions Code, relating to guardianship.</p> <p>Summary: This bill requires a social worker to immediately investigate and report findings and conclusions to the Probate court after the Probate Court has referred the matter to Juvenile Court. This bill also authorizes the Probate court or appointed counsel to request a Juvenile Court review of the decision of a social worker not to file a petition after said referral, and authorizes the Juvenile Court to affirm the decision or order the social worker to commence Juvenile Court Proceedings.</p> <p>Court Impact: <i>Juvenile and Probate Courts should work together on a procedure for these referrals. Juvenile Courts should already have procedures in place for the review of social worker decisions under WIC 329 and 331, so courts may choose to use existing Judicial Council forms or develop local forms or internal procedures for the referral from the Probate Court. Juvenile Court's may see an increase in filings due to this expansion of the law.</i></p>	<p>Shelley Coffey</p>

<p>Foster youth: placement of siblings. AB 366, Ch. 581</p> <p><i>Laws:</i> An act to repeal Section 1505.2 of the Health and Safety Code, and to amend Sections 16002 and 16519.5 of, and to repeal Section 16004 of, the Welfare and Institutions Code, relating to foster youth.</p> <p><i>Summary:</i> This bill prohibits the physical capacity of the home from being the sole reason to deny placement of a sibling group if each child in the home has an age-appropriate place to sleep and there are no other safety risks. This bill also deletes an obsolete requirement to provide specified recommendations and makes clarifying and conforming changes regarding the implementation of the resource family approval process.</p> <p><i>Court Impact:</i> <i>Judicial Officers may wish to make a record regarding the placement of a sibling group and the physical capacity of the home, so courts may need appropriate codes for Case Management Systems.</i></p>	<p>Shelley Coffey</p>
<p>Dependent children: documents: housing. AB 546, Ch. 519</p> <p><i>Laws:</i> An act to amend Section 391 of the Welfare and Institutions Code, relating to juveniles.</p> <p><i>Summary:</i> This bill adds an additional requirement on the social worker to include information in their report whether housing referrals or assistance have been successful with securing housing, or what different or additional services have been provided in order to prevent a minor or nonminor from becoming homeless if jurisdiction is terminated. This requirement must be included in the report at the last regularly scheduled review hearing held before a dependent child reaches 18 years of age and at a hearing that would terminate dependency jurisdiction over a nonminor dependent who has reached 18 years of age.</p> <p><i>Court Impact:</i> <i>Courts will need to have new language or codes available for inclusion in the minute orders if the Judicial Officer includes this finding on the record.</i></p>	<p>Shelley Coffey</p>

<p>Extended foster care: eligibility redetermination. AB 640, Ch. 622</p> <p><u>Laws:</u> An act to amend Sections 388, 11400, and 11401 of the Welfare and Institutions Code, relating to foster youth.</p> <p><u>Summary:</u> This bill adds a new subsection to WIC 388 which authorizes a placing agency, under specific circumstances, to petition the Juvenile Court to dismiss dependency or transition jurisdiction and immediately resume that jurisdiction in order to establish the nonminor dependent's eligibility for federal financial participation under the AFDC-FC program. This bill authorizes the Juvenile Court to grant the petition without a hearing and requires the agency filing the petition to ensure that a nonminor dependent does not experience a break in services or support during this process.</p> <p><u>Court Impact:</u> <i>The Judicial Council will be developing Rules of Court and forms by September 1, 2022 to implement this new process, but Juvenile Courts should have internal processes in place for handling petitions that may be filed in the meantime. The impact to each court will vary depending upon the population of nonminor dependents in each court jurisdiction.</i></p>	<p>Shelley Coffey</p>
<p>Child abuse or neglect: minor and nonminor dependent parents. AB 670, Ch. 585</p> <p><u>Laws:</u> An act to amend Section 11166.1 of the Penal Code, and to amend Sections 361.5 and 361.8 of the Welfare and Institutions Code, relating to child abuse or neglect.</p> <p><u>Summary:</u> This bill clarifies the notification period to attorneys when a report of child abuse or neglect involves a dependent minor or nonminor parent. This bill amends WIC 361.5 to specify that grounds for denying family reunification services do not apply if previously ordered termination of services or severance of parental rights to a sibling or half-sibling occurred when the parent was a minor parent, nonminor dependent parent, or adjudged a ward of the court.</p> <p><u>Court Impact:</u> <i>Courts will need to create new codes if it is the Judicial Officers intent to state the specific findings on the record to grant family reunification services despite a previous termination of services or termination of parental rights.</i></p>	<p>Shelley Coffey</p>

<p>Dependent children: documents. AB 674, Ch. 524</p> <p><u>Laws:</u> An act to amend Section 391 of the Welfare and Institutions Code, relating to juveniles.</p> <p><u>Summary:</u> This bill adds an additional requirement on the social worker to include information in their report that the minor or nonminor has been provided written information notifying them they may be eligible to receive CalFresh benefits and where they can apply for CalFresh benefits.. This requirement must be included in the report at the last regularly scheduled review hearing held before a dependent child reaches 18 years of age and at a hearing that would terminate dependency jurisdiction over a nonminor dependent who has reached 18 years of age.</p> <p><u>Court Impact:</u> Courts will need to have new language or codes available for inclusion in the minute orders if the Judicial Officer includes this finding on the record.</p>	<p>Shelley Coffey</p>
<p>Juveniles: reunification. AB 788, Ch. 201</p> <p><u>Laws:</u> An act to amend Section 361.5 of the Welfare and Institutions Code, relating to juveniles.</p> <p><u>Summary:</u> This bill amends WIC 361.5(b)(13) to define the term "resisted" as it applies to a parent or guardian resisting prior court-ordered treatment.</p> <p><u>Court Impact:</u> Courts will need to have new language or codes available for inclusion in the minute orders if the Judicial Officer includes this language on the record.</p>	<p>Shelley Coffey</p>
<p>Dependent children. AB 841, Ch. 98</p> <p><u>Laws:</u> An act to amend Section 300 of the Welfare and Institutions Code, relating to juveniles.</p> <p><u>Summary:</u> This bill amends WIC 300, specifically subsection (b)(1), to prohibit a child being described to be a child under this section solely due to the failure of the child's parent or alleged parent to seek court orders for custody of the child.</p> <p><u>Court Impact:</u> Courts will need to have new language or codes available for inclusion in the minute orders if the Judicial Officer includes this language on the record.</p>	<p>Shelley Coffey</p>

Judiciary omnibus.

AB 1578, Ch. 401

Laws: In part, amends Sections 1276 and 1277 of the Code of Civil Procedure and section 103430 of the Health and Safety Code.

Shelley Coffey

Summary: This bill changes the filing venue for dependent or delinquent minors and nonminor dependents who are petitioning for Change of Name or Change of Gender to the court having jurisdiction of the minor or nonminor dependent; for nonminor dependents the jurisdiction will be the juvenile court. A petition for change of name filed for a minor or nonminor dependent in the Juvenile Court shall be exempt from publication requirements.

Court Impact: Clerks offices of the court of jurisdiction will need to have new procedures for handling the petitions for name and gender changes as well as appropriate event code configuration for case management systems.

Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.

SB 241, Ch. 214

Laws: An act to amend, repeal, and add Section 8050 of, and to add and repeal Section 8051 of, the Business and Professions Code, to amend Sections 599 and 1010.6 of, and to add and repeal Section 367.75 of, the Code of Civil Procedure, and to add Section 3505 to the Probate Code, relating to civil actions.

Summary: This bill affects the Business and Professions Code, the Code of Civil Procedure, and the Probate Code.

**Administration, Civil,
Family Law, Probate,
Juvenile Delinquency and
Juvenile Dependency Impact**

Jamie Newbold

- As it relates to the Business and Professions Code, existing law provides for the licensure and regulation of shorthand reporters by the Court Reporters Board of California (the “Board”), within the Department of Consumer Affairs. The current law subjects a person or entity to certain penalties if they engage in certain acts relating to shorthand reporting or acts constituting the same, unless the person or entity is a licensed shorthand reporter, reporting corporation, or a person or entity not subject to those provisions. This bill, on and after July 1, 2022 and until January 1, 2024, authorizes an entity that is not a shorthand reporting corporation to engage in those specific acts if the entity is approved for registration by the Board after meeting certain requirements, including the designation of a board-certified reporter-in-charge. If approved by the Board, registration would be valid for one year and would also provide for the suspension and revocation of said registration by the Board under certain circumstances. A directory of registered entities is required to be made available on the Board’s website and further authorizes the Board to adopt regulations and implement those provisions. Because it is a crime to violate provisions regulating shorthand reporting, this bill expands the provisions to apply to new registrants and thus expands the scope of a crime by violation of the provisions regulating shorthand reporting to these new registrants.
- As it relates to the Code of Civil Procedure:
 - (1) Until July 1, 2023 this bill authorizes a party to appear remotely for a court conference, hearing, proceeding, and trial through the use of remote technology. While the bill authorizes the court to require a party or witness to appear in person at any of the same, it prohibits a court from requiring a party to appear remotely. It further allows self-represented parties to appear remotely only if they agree to do so. The bill requires the court to have a process for a party, court reporter, court interpreter, or other court personnel to alert the judicial officer of technology or audibility issues. The bill also requires the Judicial Council to adopt rules to implement these above provisions.
 - (2) Existing law provides that unless otherwise ordered by the court or agreed to by the parties, a continuance or postponement of a trial date extends any deadlines, that have not already passed as of March 19, 2020, applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions for the same length of time as the continuance or

postponement of the trial date. This bill applies these provisions to the continuance or postponement of an arbitration date.

(3) Existing law authorizes a court to electronically serve any document issued by the court that is not required to be personally served on a party that has agreed or consented to accept electronic service, with the same legal effect as service by mail, except as specified. This bill, on or after July 1, 2024, instead requires the court to electronically transmit those documents on a party that has agreed or consented to accept electronic service.

- As it relates to the Probate Code:

(1) Existing law authorizes a minor's parent to compromise, or execute a covenant not to sue or not to enforce a judgment on, a claim on behalf of the minor if the minor has a disputed claim for damages, money, or other property and does not have a guardian of the estate. This bill requires the court to schedule a hearing on a petition to compromise a minor's disputed claim within 30 days of the date filed and if the petition is unopposed, the court is required to enter a decision at the conclusion of the hearing.

Court Impact: Inform judicial officers and court staff of changes in the law. Operational impacts include:

With regards to remote appearances in non-Criminal matters: The Judicial Council is, as required by the bill, currently developing Rules surrounding the implementation of CCP367.75. Draft rules as of 11/19/2021 would expand the CCP367.75 requirements to encompass both video and audio (telephonic) appearances, the latter of which are currently governed by CCP367.5 (which has not been amended or repealed) and various Rules of Court. Depending on the outcome of the proposed Rules, case parties and Courts may be required to undergo a formal noticing process not only for video appearances, but for telephonic appearances as well. This would require significant updates to business processes for Courts currently allowing telephonic appearances using an 'informal' notification process as provided for in CCP367.5.

Further, as CCP367.75 provides for a presumption of allowing remote (video) appearance on request in non-Criminal matters (excluding Dependency matters), Courts will need to develop processes to 1) provide for submission of remote appearance requests (proposed Rules currently include potentially mandatory forms for this purpose), 2) evaluate the Court's ability to comply with the requests on a case-by-case/hearing-by-hearing basis, 3) notify parties accordingly, and 4) provide the technological means for these appearances to occur (note, however, that a Court may deny a remote appearance request due to lack of available technology, or for other specified reasons as specific in CCP367.75, again on a case-by-case basis). In addition, the Court must have a process in place to allow participants in the hearing (e.g. parties, witnesses, court reporters, interpreters, and other Court staff) to alert the judicial officer of any audibility or similar technological issues that may arise during the course of the remote proceeding.

Finally, the Court must also make information regarding remote appearances options and procedures available to self-represented litigants. The requirements for such notification will likely be specified in the pending Rule(s) and require posting of the corresponding information on the Court's website.

All of the above impacts will apply, at a minimum, to all video appearances in non-Criminal, non-Dependency matters, and may also expand to telephonic appearances in those case types depending on the outcome of the proposed Rules.

CCP367.75 has similar effects on Dependency matters, with the primary differences being that 1) remote appearance requests must first be approved by the Court and 2) remote appearance requests may be objected to by any party to the case. In the case of witnesses, remote appearances are only permissible if all parties have consented. As such, the Court will need to develop an altered remote appearance request/notification process for Dependency matters that takes these nuances into account.

*Note: in no circumstance does CCP367.75 allow the Court to **require** a party to appear remotely.*

With regards to Electronic Service by the Court: *While electronic service by a Court to parties who have affirmatively agreed to accept electronic service is currently permitted, because electronic service by Courts to said parties will become mandatory effective 7/1/2024 Courts will need to ensure that they have an electronic service process in place by that time.*

With regards to matters filed under Probate Code 3500 (Minor's Compromise): *Courts will need to update their business processes to set a hearing date within 30 days of filing of the Claim.*

<p>Domestic violence protective orders: possession of a firearm. SB 320, Ch. 685</p> <p>Laws: An act to amend Sections 3044, 6304, 6306, 6323, and 6389 of, and to add Section 6322.5 to, the Family Code, to amend Sections 11108.2, 25555, 26379, 26405, 26540, and 30342 of the Penal Code, and to amend Section 213.5 of the Welfare and Institutions Code, relating to domestic violence.</p> <p>Summary: Codifies existing Rules of Court related to the relinquishment of a firearm by a person subject to a civil domestic violence restraining order and requires the courts to notify law enforcement and the county prosecutor's office when there has been a violation of a firearm relinquishment order.</p> <p>Major provisions summarized:</p> <ul style="list-style-type: none"> • Requires the court when issuing a protective order to provide information about relinquishment of any firearms/ammunition and when holding a hearing, review the file to determine if receipt has been received. • Report any violations of firearm prohibitions to the prosecuting attorney, within two business days of the hearing, unless the restrained party shows proof of compliance at a subsequent hearing. • Requires the juvenile court, when issuing a DVRO to make a determination as to whether the restrained person is in possession or control of a firearm/ammunition and applies the procedures for firearm relinquishment. • Requires law enforcement agencies to develop and implement written policies and standards who require immediate relinquishment of firearms/ammunition. • Authorizes a person who is prohibited from owning firearms/ammunition to transfer or relinquish the firearm/ammunition for storage, but exempts selling more than 500 rounds in a 30-day period. <p>Court Impact. <i>Inform judicial officers, LEA's, family law facilitators and court operations staff. Revise any internal court operational procedures. Review Judicial Council Forms DV-800-INFO and DV-800.</i></p>	<p>Family Law and Juvenile Impact</p> <p>Sara MacCaughey</p>
--	---

Public social services.

SB 354, Ch. 687

Laws: An act to amend Sections 1522, 1568.09, 1569.17, and 1596.871, and to add and repeal Section 1521.7 of, the Health and Safety Code, and to amend Sections 309, 319, 361.2, 361.4, 727.05, 11461.3, 11461.36, and 16519.5 of the Welfare and Institutions Code, relating to public social services.

Shelley Coffey

Summary: This bill authorizes the Juvenile Court to temporarily place a child, on a temporary basis, in the home of a relative regardless of the status of any criminal record exemption or resource family approval if the court finds that placement does not pose a risk to the health and safety of the child. This bill also makes changes to multiple codes regarding the licensing and reporting of resource family applications and the granting of exemptions to persons seeking placement of a child.

Court Impact: Courts will need to have this codes or language created in case management systems for including on the minute orders when the placement findings are made.

Juvenile Delinquency	Notes
<p>Public safety. AB 145, Ch. 80</p> <p>Laws: In part as it relates to Juvenile Delinquency, SEC.s 27, 28 of the bill, Amends Section 730 of the Welfare and Institutions Code; adds Section 1760.45 of the Welfare and Institutions Code.</p> <p>Summary: This bill allows counties to enter into a partnership with Pine Grove Youth Conservation Camps for use as a placement resource; placement at Pine Grove will be available for youth 18 and over who remain under Juvenile Court jurisdiction and are under Juvenile Probation supervision. Placement at Pine Grove will not be considered a placement to the Division of Juvenile Justice.</p> <p>Court Impact: <i>Courts will need to have new disposition codes created in their case management systems if their county enters into an agreement with Pine Grove Youth Camp.</i></p>	<p>Shelley Coffey</p>
<p>Juveniles: transfer to court of criminal jurisdiction: appeals. AB 624, Ch. 195</p> <p>Laws: An act to add Section 801 to the Welfare and Institutions Code, relating to juveniles.</p> <p>Summary: This bill makes the order to transfer a minor to a court of criminal jurisdiction subject to appeal. An appeal must be filed within 30 days of the order of transfer and requires the criminal proceeding to be stayed pending ruling on the appeal. The court will retain jurisdiction to modify or lift the stay at the request of the minor.</p> <p>Court Impact: <i>The criminal court will need to develop a procedure for staying the criminal case pending resolution of the appeal. Juvenile courts should also have a procedure for reinstating procedures or reopening the Juvenile case should the appeal be successful. Appeals departments should be informed an appeal on the order for transfer should be expedited. The Judicial Council will create rules specific to the appeal of an order to transfer.</i></p>	<p>Juvenile and Criminal Impact</p> <p>Shelley Coffey</p>

Juvenile Justice.

SB 92, Ch. 18

Laws: An act to amend Section 3056 of the Penal Code, and to amend Sections 208, 208.5, 607, 726, 733.1, 736.5, 1731.5, 1731.6, 1752.1, 1752.15, 1767.35, 1991, and 2250 of, to amend and repeal Sections 704, 707.2, and 1731.7 of, to add Sections 731 and 779.5 to, and to add Article 23.5 (commencing with Section 875) to Chapter 2 of Part 1 of Division 2 of, the Welfare and Institutions Code, relating to juvenile justice, and making an appropriation therefor, to take effect immediately, bill related to the budget.

Shelley Coffey

Summary: This bill requires courts to consider placement in local programs established as a result of realignment of wards from the Division of Juvenile Justice to county-based custody. This bill requires the Division of Juvenile Justice to close on June 30, 2023, and requires the Director of the Division of Juvenile Justice to develop a plan by January 1, 2022, for the transfer of remaining youth to the county who are unable to be discharged or otherwise moved pursuant to law before final closure. The bill allows counties, commencing July 1, 2021, to establish secure youth treatment facilities for wards who are 14 years of age or older and found to be a ward of the court based on an offense that would have resulted in a commitment to the Division of Juvenile Justice. The bill also requires to court to set a baseline term of confinement based on the most serious recent offense for which the ward has been adjudicated, and would additionally require the court to set a maximum term of confinement for the ward in a secure youth treatment facility. Additionally, this bill requires the court to hold progress review hearings for the ward not less frequently than once every 6 months during the term of confinement; at the conclusion of a progress review hearing, or at a separately scheduled hearing, the court is authorized to order a ward transferred to a less restrictive program. This bill requires the Judicial Council to develop and adopt a matrix of offense-based classifications to be applied by the juvenile courts in all counties by July 1, 2023. The bill prohibits a court from committing a juvenile to any facility for a period that exceeds the middle term of imprisonment that could be imposed upon an adult convicted of the same offense. Finally, this bill requires the probation department to request the prosecuting attorney to petition the committing court for an order directing that the person remain subject to the control of the department at discharge if the person is deemed to be a danger to the public or cannot control their dangerous behavior and establishes the process for the petition, probable cause hearing, train, continued detention and appeal pursuant to this provision. The Governor and Legislature are required to work with stakeholders to develop language by July 1, 2021, that replaces these provisions with a commitment process.

Court Impact: *Juvenile Courts and County probation departments should already be working together to implement new findings and petition procedures. Juvenile Courts should anticipate an increase in hearings from minor's being returned to the county of commitment as well as additional progress review hearings. Courts will most likely need new hearing and event codes in case management systems and anticipate possible tracking or reporting requirements.*

Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.

SB 241, Ch. 214

Laws: An act to amend, repeal, and add Section 8050 of, and to add and repeal Section 8051 of, the Business and Professions Code, to amend Sections 599 and 1010.6 of, and to add and repeal Section 367.75 of, the Code of Civil Procedure, and to add Section 3505 to the Probate Code, relating to civil actions.

Summary: This bill affects the Business and Professions Code, the Code of Civil Procedure, and the Probate Code.

**Administration, Civil,
Family Law, Probate,
Juvenile Delinquency and
Juvenile Dependency
Impact**

Jamie Newbold

- As it relates to the Business and Professions Code, existing law provides for the licensure and regulation of shorthand reporters by the Court Reporters Board of California (the “Board”), within the Department of Consumer Affairs. The current law subjects a person or entity to certain penalties if they engage in certain acts relating to shorthand reporting or acts constituting the same, unless the person or entity is a licensed shorthand reporter, reporting corporation, or a person or entity not subject to those provisions. This bill, on and after July 1, 2022 and until January 1, 2024, authorizes an entity that is not a shorthand reporting corporation to engage in those specific acts if the entity is approved for registration by the Board after meeting certain requirements, including the designation of a board-certified reporter-in-charge. If approved by the Board, registration would be valid for one year and would also provide for the suspension and revocation of said registration by the Board under certain circumstances. A directory of registered entities is required to be made available on the Board’s website and further authorizes the Board to adopt regulations and implement those provisions. Because it is a crime to violate provisions regulating shorthand reporting, this bill expands the provisions to apply to new registrants and thus expands the scope of a crime by violation of the provisions regulating shorthand reporting to these new registrants.
- As it relates to the Code of Civil Procedure:
 - (1) Until July 1, 2023 this bill authorizes a party to appear remotely for a court conference, hearing, proceeding, and trial through the use of remote technology. While the bill authorizes the court to require a party or witness to appear in person at any of the same, it prohibits a court from requiring a party to appear remotely. It further allows self-represented parties to appear remotely only if they agree to do so. The bill requires the court to have a process for a party, court reporter, court interpreter, or other court personnel to alert the judicial officer of technology or audibility issues. The bill also requires the Judicial Council to adopt rules to implement these above provisions.
 - (2) Existing law provides that unless otherwise ordered by the court or agreed to by the parties, a continuance or postponement of a trial date extends any deadlines, that have not already passed as of March 19, 2020, applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions for the same length of time as the continuance or

postponement of the trial date. This bill applies these provisions to the continuance or postponement of an arbitration date.

(3) Existing law authorizes a court to electronically serve any document issued by the court that is not required to be personally served on a party that has agreed or consented to accept electronic service, with the same legal effect as service by mail, except as specified. This bill, on or after July 1, 2024, instead requires the court to electronically transmit those documents on a party that has agreed or consented to accept electronic service.

- As it relates to the Probate Code:

(1) Existing law authorizes a minor's parent to compromise, or execute a covenant not to sue or not to enforce a judgment on, a claim on behalf of the minor if the minor has a disputed claim for damages, money, or other property and does not have a guardian of the estate. This bill requires the court to schedule a hearing on a petition to compromise a minor's disputed claim within 30 days of the date filed and if the petition is unopposed, the court is required to enter a decision at the conclusion of the hearing.

Court Impact: Inform judicial officers and court staff of changes in the law. Operational impacts include:

With regards to remote appearances in non-Criminal matters: The Judicial Council is, as required by the bill, currently developing Rules surrounding the implementation of CCP367.75. Draft rules as of 11/19/2021 would expand the CCP367.75 requirements to encompass both video and audio (telephonic) appearances, the latter of which are currently governed by CCP367.5 (which has not been amended or repealed) and various Rules of Court. Depending on the outcome of the proposed Rules, case parties and Courts may be required to undergo a formal noticing process not only for video appearances, but for telephonic appearances as well. This would require significant updates to business processes for Courts currently allowing telephonic appearances using an 'informal' notification process as provided for in CCP367.5.

Further, as CCP367.75 provides for a presumption of allowing remote (video) appearance on request in non-Criminal matters (excluding Dependency matters), Courts will need to develop processes to 1) provide for submission of remote appearance requests (proposed Rules currently include potentially mandatory forms for this purpose), 2) evaluate the Court's ability to comply with the requests on a case-by-case/hearing-by-hearing basis, 3) notify parties accordingly, and 4) provide the technological means for these appearances to occur (note, however, that a Court may deny a remote appearance request due to lack of available technology, or for other specified reasons as specific in CCP367.75, again on a case-by-case basis). In addition, the Court must have a process in place to allow participants in the hearing (e.g. parties, witnesses, court reporters, interpreters, and other Court staff) to alert the judicial officer of any audibility or similar technological issues that may arise during the course of the remote proceeding.

Finally, the Court must also make information regarding remote appearances options and procedures available to self-represented litigants. The requirements for such notification will likely be specified in the pending Rule(s) and require posting of the corresponding information on the Court's website.

All of the above impacts will apply, at a minimum, to all video appearances in non-Criminal, non-Dependency matters, and may also expand to telephonic appearances in those case types depending on the outcome of the proposed Rules.

CCP367.75 has similar effects on Dependency matters, with the primary differences being that 1) remote appearance requests must first be approved by the Court and 2) remote appearance requests may be objected to by any party to the case. In the case of witnesses, remote appearances are only permissible if all parties have consented. As such, the Court will need to develop an altered remote appearance request/notification process for Dependency matters that takes these nuances into account.

*Note: in no circumstance does CCP367.75 allow the Court to **require** a party to appear remotely.*

With regards to Electronic Service by the Court: *While electronic service by a Court to parties who have affirmatively agreed to accept electronic service is currently permitted, because electronic service by Courts to said parties will become mandatory effective 7/1/2024 Courts will need to ensure that they have an electronic service process in place by that time.*

With regards to matters filed under Probate Code 3500 (Minor's Compromise): *Courts will need to update their business processes to set a hearing date within 30 days of filing of the Claim.*

<p>Domestic violence protective orders: possession of a firearm. SB 320, Ch. 685</p> <p>Laws: An act to amend Sections 3044, 6304, 6306, 6323, and 6389 of, and to add Section 6322.5 to, the Family Code, to amend Sections 11108.2, 25555, 26379, 26405, 26540, and 30342 of the Penal Code, and to amend Section 213.5 of the Welfare and Institutions Code, relating to domestic violence.</p> <p>Summary: Codifies existing Rules of Court related to the relinquishment of a firearm by a person subject to a civil domestic violence restraining order and requires the courts to notify law enforcement and the county prosecutor's office when there has been a violation of a firearm relinquishment order.</p> <p>Major provisions summarized:</p> <ul style="list-style-type: none"> • Requires the court when issuing a protective order to provide information about relinquishment of any firearms/ammunition and when holding a hearing, review the file to determine if receipt has been received. • Report any violations of firearm prohibitions to the prosecuting attorney, within two business days of the hearing, unless the restrained party shows proof of compliance at a subsequent hearing. • Requires the juvenile court, when issuing a DVRO to make a determination as to whether the restrained person is in possession or control of a firearm/ammunition and applies the procedures for firearm relinquishment. • Requires law enforcement agencies to develop and implement written policies and standards who require immediate relinquishment of firearms/ammunition. • Authorizes a person who is prohibited from owning firearms/ammunition to transfer or relinquish the firearm/ammunition for storage, but exempts selling more than 500 rounds in a 30-day period. <p>Court Impact. <i>Inform judicial officers, LEA's, family law facilitators and court operations staff. Revise any internal court operational procedures. Review Judicial Council Forms DV-800-INFO and DV-800.</i></p>	<p>Family Law and Juvenile Impact</p> <p>Sara MacCaughey</p>
--	---

<p>Juveniles: informal supervision: deferred entry of judgment. SB 383, Ch. 603</p> <p><u>Laws:</u> An act to amend Sections 654.3, 790, and 791 of the Welfare and Institutions Code, relating to juveniles.</p> <p><u>Summary:</u> This bill amends the Juvenile Deferred Entry of Judgement program. It eliminates specific Health & Safety code violations from the list of offenses that make a minor ineligible for the DEJ program. It also specifies that a minor's inability to pay restitution exceeding \$1,000 due to indigency shall not be grounds for DEJ exclusion. This bill further provides that an originating court, when adjudicating a case in which the minor resides in another county, may adjudicate the case without determining the minor's eligibility for DEJ before transferring it to the minor's county of residence, and allows the receiving county to make their own determination on eligibility. Finally, this bill eliminates the requirement that the prosecuting attorney's written notification to the minor include a statement under WIC 791(a)(6) regarding failure of the DEJ program serving as a basis for a finding of unfitness under WIC 707(d).</p> <p><u>Court Impact:</u> <i>Courts will need to amend documents and/or procedures to ensure advisals are given properly on the record in the absence of amended forms. Receiving Courts on transfer cases will need to make their own determinations on whether or not a minor is eligible for Deferred Entry of Judgment as opposed to relying on transferring Court.</i></p>	<p>Shelley Coffey</p>
<p>Public Safety Omnibus. SB 827, Ch. 434</p> <p><u>Laws:</u> In part, Repeals Sections 1170.17 and 1170.19 of the Penal Code.</p> <p><u>Summary:</u> This bill repeals the provisions of the law that authorize a prosecutor to file a criminal case against a minor directly in a court of criminal jurisdiction if there was a previous finding the minor was "unfit" for juvenile court. This bill also repeals the sentencing provisions that would impose an adult sentence for a minor convicted in criminal court and not transferred to Juvenile Court.</p> <p><u>Court Impact:</u> <i>Courts may experience a very slight increase in Juvenile Court filings since the prosecuting agency can no longer initiate a case in a court of criminal jurisdiction for an offender under the age of 18. Courts may no longer sentence any juvenile offenders to the same sentence as an adult would receive for the same offenses.</i></p>	<p>Shelley Coffey</p>

Probate	Notes
<p>Guardianships. AB 260, Ch. 578</p> <p>Laws: An act to amend Section 68511.1 of the Government Code, to amend Sections 1511 and 1513 of the Probate Code, and to amend Sections 329 and 331 of the Welfare and Institutions Code, relating to guardianship.</p> <p>Summary: This bill allows a probate judge to request that a child welfare referral of a minor who is the subject of a guardianship petition and who appears to have been neglected or abused, be reviewed by the juvenile court.</p> <p>If the probate court has referred a matter to juvenile court, it requires the social worker to immediately investigate and to report the findings and conclusions of the investigation to the probate court. When a probate court has referred a matter to the child welfare agency, the probate court or appointed counsel is authorized within one month after the referral, to request that the juvenile court review the decision of the social worker not to file a petition and would authorize the juvenile court to either affirm the decision of the social worker or, if the juvenile court finds that the child is, prima facie, a dependent child of the court, to order the social worker to commence juvenile court proceedings.</p> <p>Also requires JCC to develop a form for use in dependency and probate guardianships that assists legal guardians with understanding their rights, duties, and obligations as a guardian, and provides services and supports available to a probate guardian.</p> <p>Court Impact: <i>Courts may wish to consider an internal referral process between probate court and juvenile court. Also expect new Judicial Council forms regarding guardian's acknowledgment of rights, duties, and obligations.</i></p>	<p style="text-align: center;">Sheri Gulino</p>

<p>Partition of real property: Uniform Partition of Heirs Property Act. AB 633, Ch. 119</p> <p><u>Laws:</u> An act to amend Section 872.020 of, and to add Chapter 10 (commencing with Section 874.311) to Title 10.5 of Part 2 of, the Code of Civil Procedure, relating to civil actions.</p> <p><u>Summary:</u> Enacts the Uniform Partition of Heirs Property Act, which would require procedures in an action to partition real property that is heirs' property. Heirs property is defined as property for which there is no written agreement regarding partition that binds the cotenants of the property, one or more of the cotenants acquired title from a relative, and meets one of the specified thresholds regarding cotenants who are relatives or who acquired title from a relative. The thresholds are: 1) if a cotenant requests partition by sale, it would require cotenants who did not request the partition the option to buy all of the interests of the cotenants; 2) If all of those interests are not purchased or if a cotenant's interest remains in kind, it would require the court to partition the property in kind or by sale; and 3) The bill would provide procedures to which the property is appraised.</p> <p><u>Court Impact:</u> <i>Informational; may see new filings to enforce partition of real property by heirs/beneficiaries in a decedent's estate.</i></p>	<p>Sheri Gulino</p>
<p>Trusts: revocation. AB 1079, Ch. 749</p> <p><u>Laws:</u> An act to amend Sections 15800 and 16069 of the Probate Code, relating to trusts.</p> <p><u>Summary:</u> This bill imposes additional requirements on the trustee of a trust if, during the time the trust is revocable, no person holding the power to revoke the trust is competent, to provide a copy of the trust instrument and any amendments to the beneficiaries under the trust instrument. The bill also authorizes the trustee to rely on specified methods to establish incompetency but would clarify that the bill does not affect any legal standard for establishing incompetency.</p> <p><u>Court Impact:</u> <i>Impacts the creation, modification or termination of a trust, and would impose additional requirements on the trustee of a trust if during the time the trust is revocable, no person holding the power to revoke the trust is competent, requiring the trustee to provide a copy of the trust instrument any amendments to the beneficiaries under the trust instrument. Possible increased trust litigation for failure to comply with this updated statute (Probate Code 15800).</i></p>	<p>Sheri Gulino</p>

<p>Conservatorship. AB 1194, Ch. 417</p> <p>Laws: An act to amend Section 6580 of, and to add Section 6563 to, the Business and Professions Code, and to amend Sections 1051, 1460, 1471, 1826, 1850, 1850.5, 1851, 1851.1, 1860, 1860.5, 1862, 1863, 2250, 2250.6, 2253, 2401, 2620, 2623, 2640, 2641, and 2653 of, to add Sections 1851.6 and 2112 to, and to add and repeal Section 1458 of, the Probate Code, relating to conservatorship.</p> <p>Summary: This bill is significant. Some of the bill is subject to appropriations to implement. The bill has several parts to it. One, relative to Private Professional Fiduciaries (PPFs), another as to court appointed counsel, another as to Court Investigations and finally, statistical reporting of conservatorship cases to the JCC.</p> <p>PRIVATE PROFESSIONAL FIDUCIARIES (PPFs)</p> <p>Requires PPFs with an internet website to post schedule of the range of fees, or if no internet website to provide that schedule.</p> <p>Requires the Fiduciary Bureau to impose sanctions on a PPF upon finding of a violation of statutes or regulations, a breach of duty where there is a finding of serious financial or physical harm or mental suffering, or that the PPF has engages in defined acts of abuse.</p> <p>If the court finds a PPF has abused a conservatee, the PPF as conservator is liable for a civil penalty of up to \$10,000 for each act of abuse payable to the estate of the conservatee. A conservator who is not a PPF is liable up to \$1,000 for each act of abuse also payable to conservatee’s estate.</p> <p>Requires the Fiduciary Bureau to investigate specified allegations and would authorize the Bureau to impose upon a PPF a sanction for their violation of duties, a restitution order, as specified.</p> <p>COURT APPOINTED COUNSEL:</p> <p>Requires the court to allow representation by an attorney for the conservatee, or proposed conservatee, or person alleged to lack legal capacity expresses a preference, even if the attorney is not on the court’s list of court-appointed attorneys, unless the counsel cannot provide zealous advocacy or has a conflict of interest.</p> <p>Specifies the role of legal counsel for conservatee, proposed conservatee, or person alleged to lack legal capacity is that of a zealous, independent advocate, observing specified legal requirements.</p>	<p>Sheri Gulino</p>
--	---------------------

COURT INVESTIGATIONS (subject to appropriation):

Requires the court, at specified hearings, consider terminating the conservatorship or limited conservatorship (or appoint a new/successor conservator), and would allow the court to modify the conservatorship, in certain circumstance, so the conservatorship is the least restrictive alternative needed for the protection of the conservatee.

Effective 1/1/23, make changes to court investigations as follows:

- 6 months after initial appointment, the court investigator will visit conservatee and report to the court the appropriateness of the conservatorship and whether the conservator is acting in the best interests of conservatee.
- One year after initial appointment, the court investigator will visit the conservatee and report the findings of the investigation to the court. On receipt of the report, the court shall consider terminating the conservatorship at the hearing per PrC 1863 and take any other appropriate action.
- The court on its own motion, or upon request by an interested person, may take action including ordering a review of the conservatorship at a noticed hearing or order the conservator to submit an accounting per PrC 2620.
- Allows an interested party to file a petition to investigate allegations of abuse of a conservatee.

STATISTICAL REPORTING:

Delayed until 1/1/24, the requirement that the JCC report specified information, including caseload statistics from 2018-19 fiscal year for temporary and general probate conservatorships. Probate Code 1458.

***Court Impact.** Create a reporting process to the Fiduciary Bureau for any findings by the court pertaining to a PPF. Possible changes in court-appointed counsel processes if handled through court's CMS or operationally. Preparing for additional court investigator requirements and court hearings (reports annually instead of biennially; terminations of conservatorships annually) if court investigators are supervised by court operations.*

<p>Protective orders: elder and dependent adults. AB 1243, Ch. 273</p> <p>Laws: An act to amend, repeal, and add Section 15657.03 of the Welfare and Institutions Code, relating to protective orders.</p> <p>Summary: Effective January 1, 2023, allows after notice and a hearing, an interested party to seek a protective order for isolation of an elder or dependent adult under the Elder Abuse and Dependent Adult Civil Protection Act (EADACPA) and for the court to make a finding that specific debt was incurred as a result of financial abuse. Requires the Judicial Council to revise or create forms necessary to implement this bill.</p> <p>Court Impact. <i>Inform judicial officers, family law facilitators and court operations staff of the amendments. Look for new or modified judicial council forms.</i></p>	<p style="text-align: center;">Family Law and Probate Impact</p> <p style="text-align: center;">Sheri Gulino</p>
--	---

Civil actions: shorthand reporters, remote appearances, extension of deadlines applicable to discovery, electronic service of documents, minor's compromise petitions.

SB 241, Ch. 214

Laws: An act to amend, repeal, and add Section 8050 of, and to add and repeal Section 8051 of, the Business and Professions Code, to amend Sections 599 and 1010.6 of, and to add and repeal Section 367.75 of, the Code of Civil Procedure, and to add Section 3505 to the Probate Code, relating to civil actions.

Summary: This bill affects the Business and Professions Code, the Code of Civil Procedure, and the Probate Code.

- As it relates to the Business and Professions Code, existing law provides for the licensure and regulation of shorthand reporters by the Court Reporters Board of California (the “Board”), within the Department of Consumer Affairs. The current law subjects a person or entity to certain penalties if they engage in certain acts relating to shorthand reporting or acts constituting the same, unless the person or entity is a licensed shorthand reporter, reporting corporation, or a person or entity not subject to those provisions. This bill, on and after July 1, 2022 and until January 1, 2024, authorizes an entity that is not a shorthand reporting corporation to engage in those specific acts if the entity is approved for registration by the Board after meeting certain requirements, including the designation of a board-certified reporter-in-charge. If approved by the Board, registration would be valid for one year and would also provide for the suspension and revocation of said registration by the Board under certain circumstances. A directory of registered entities is required to be made available on the Board’s website and further authorizes the Board to adopt regulations and implement those provisions. Because it is a crime to violate provisions regulating shorthand reporting, this bill expands the provisions to apply to new registrants and thus expands the scope of a crime by violation of the provisions regulating shorthand reporting to these new registrants.
- As it relates to the Code of Civil Procedure:
 - (1) Until July 1, 2023 this bill authorizes a party to appear remotely for a court conference, hearing, proceeding, and trial through the use of remote technology. While the bill authorizes the court to require a party or witness to appear in person at any of the same, it prohibits a court from requiring a party to appear remotely. It further allows self-represented parties to appear remotely only if they agree to do so. The bill requires the court to have a process for a party, court reporter, court interpreter, or other court personnel to alert the judicial officer of technology or audibility issues. The bill also requires the Judicial Council to adopt rules to implement these above provisions.
 - (2) Existing law provides that unless otherwise ordered by the court or agreed to by the parties, a continuance or postponement of a trial date extends any deadlines, that have not already passed as of March 19, 2020, applicable to discovery, including the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions for the same length of time as the continuance or

**Administration, Civil,
Family Law, Probate,
Juvenile Delinquency and
Juvenile Dependency Impact**

Jamie Newbold

postponement of the trial date. This bill applies these provisions to the continuance or postponement of an arbitration date.

(3) Existing law authorizes a court to electronically serve any document issued by the court that is not required to be personally served on a party that has agreed or consented to accept electronic service, with the same legal effect as service by mail, except as specified. This bill, on or after July 1, 2024, instead requires the court to electronically transmit those documents on a party that has agreed or consented to accept electronic service.

- As it relates to the Probate Code:

(1) Existing law authorizes a minor's parent to compromise, or execute a covenant not to sue or not to enforce a judgment on, a claim on behalf of the minor if the minor has a disputed claim for damages, money, or other property and does not have a guardian of the estate. This bill requires the court to schedule a hearing on a petition to compromise a minor's disputed claim within 30 days of the date filed and if the petition is unopposed, the court is required to enter a decision at the conclusion of the hearing.

Court Impact: Inform judicial officers and court staff of changes in the law. Operational impacts include:

With regards to remote appearances in non-Criminal matters: The Judicial Council is, as required by the bill, currently developing Rules surrounding the implementation of CCP367.75. Draft rules as of 11/19/2021 would expand the CCP367.75 requirements to encompass both video and audio (telephonic) appearances, the latter of which are currently governed by CCP367.5 (which has not been amended or repealed) and various Rules of Court. Depending on the outcome of the proposed Rules, case parties and Courts may be required to undergo a formal noticing process not only for video appearances, but for telephonic appearances as well. This would require significant updates to business processes for Courts currently allowing telephonic appearances using an 'informal' notification process as provided for in CCP367.5.

Further, as CCP367.75 provides for a presumption of allowing remote (video) appearance on request in non-Criminal matters (excluding Dependency matters), Courts will need to develop processes to 1) provide for submission of remote appearance requests (proposed Rules currently include potentially mandatory forms for this purpose), 2) evaluate the Court's ability to comply with the requests on a case-by-case/hearing-by-hearing basis, 3) notify parties accordingly, and 4) provide the technological means for these appearances to occur (note, however, that a Court may deny a remote appearance request due to lack of available technology, or for other specified reasons as specific in CCP367.75, again on a case-by-case basis). In addition, the Court must have a process in place to allow participants in the hearing (e.g. parties, witnesses, court reporters, interpreters, and other Court staff) to alert the judicial officer of any audibility or similar technological issues that may arise during the course of the remote proceeding.

Finally, the Court must also make information regarding remote appearances options and procedures available to self-represented litigants. The requirements for such notification will likely be specified in the pending Rule(s) and require posting of the corresponding information on the Court's website.

All of the above impacts will apply, at a minimum, to all video appearances in non-Criminal, non-Dependency matters, and may also expand to telephonic appearances in those case types depending on the outcome of the proposed Rules.

CCP367.75 has similar effects on Dependency matters, with the primary differences being that 1) remote appearance requests must first be approved by the Court and 2) remote appearance requests may be objected to by any party to the case. In the case of witnesses, remote appearances are only permissible if all parties have consented. As such, the Court will need to develop an altered remote appearance request/notification process for Dependency matters that takes these nuances into account.

*Note: in no circumstance does CCP367.75 allow the Court to **require** a party to appear remotely.*

***With regards to Electronic Service by the Court:** While electronic service by a Court to parties who have affirmatively agreed to accept electronic service is currently permitted, because electronic service by Courts to said parties will become mandatory effective 7/1/2024 Courts will need to ensure that they have an electronic service process in place by that time.*

***With regards to matters filed under Probate Code 3500 (Minor's Compromise):** Courts will need to update their business processes to set a hearing date within 30 days of filing of the Claim.*

<p>Revocable transfer on death deeds. SB 315, Ch. 215</p> <p><i>Laws:</i> An act to amend Section 27281 of the Government Code, and to amend Sections 5600, 5608, 5624, 5626, 5632, 5642, 5644, 5652, 5660, 5674, 5682, 5690, and 5694 of, to add Sections 5605, 5615, 5618, 5625, 5658, 5659, 5677, 5678, 5681, and 5698 to, to repeal Section 5676 of, and to repeal and add Section 5610 of, the Probate Code, relating to revocable transfer on death deeds.</p> <p><i>Summary:</i> The transfer on death deed would extend to 1/1/2032. And would redefine terms including "beneficiary," "real property," "subscribing witness," and "unsecured debts." The bill would also make changes to how and when the revocable transfer on death deed becomes effective or revoked and would instead require the deed or revocation to be signed by the transferor, by notary, dated and signed by 2 witnesses. The bill requires the statutory forms to conform to these changes and would require after the death of the transferor, that the beneficiary serve notice on the transferor's heirs and would create a new statutory notice for these purposes.</p> <p><i>Court Impact:</i> <i>May see new litigation in trusts and decedent's estates regarding transfer on death deeds and the failure to provide notice to heirs after transferor's/decedent's death.</i></p>	<p>Sheri Gulino</p>
<p>Mental health services: assisted outpatient treatment. SB 507, Ch. 426</p> <p><i>Laws:</i> An act to amend Section 5346 of, and to add Section 5346.5 to, the Welfare and Institutions Code, relating to mental health.</p> <p><i>Summary:</i> Requires findings by the Assisted Outpatient Treatment (AOT) (known as Laura's Law) that include that the person's condition is substantially deteriorating, or that the AOT is needed to prevent relapse or deterioration that would likely result in grave disability or serious harm to the person or others. Allows the subject of the petition or the examining mental health professional to appear before the court for testimony or videoconferencing. Provides that the court may order AOT if the court determines the facts in the verified petition are true, and the person meets the definition of an eligible conservatee.</p> <p><i>Court Impact:</i> <i>Adds the assisted outpatient treatment to eligible conservatees. May need to consider appointment of court-appointed counsel for determining conservatee's eligibility absent other petition filed requesting treatment.</i></p>	<p>Sheri Gulino</p>

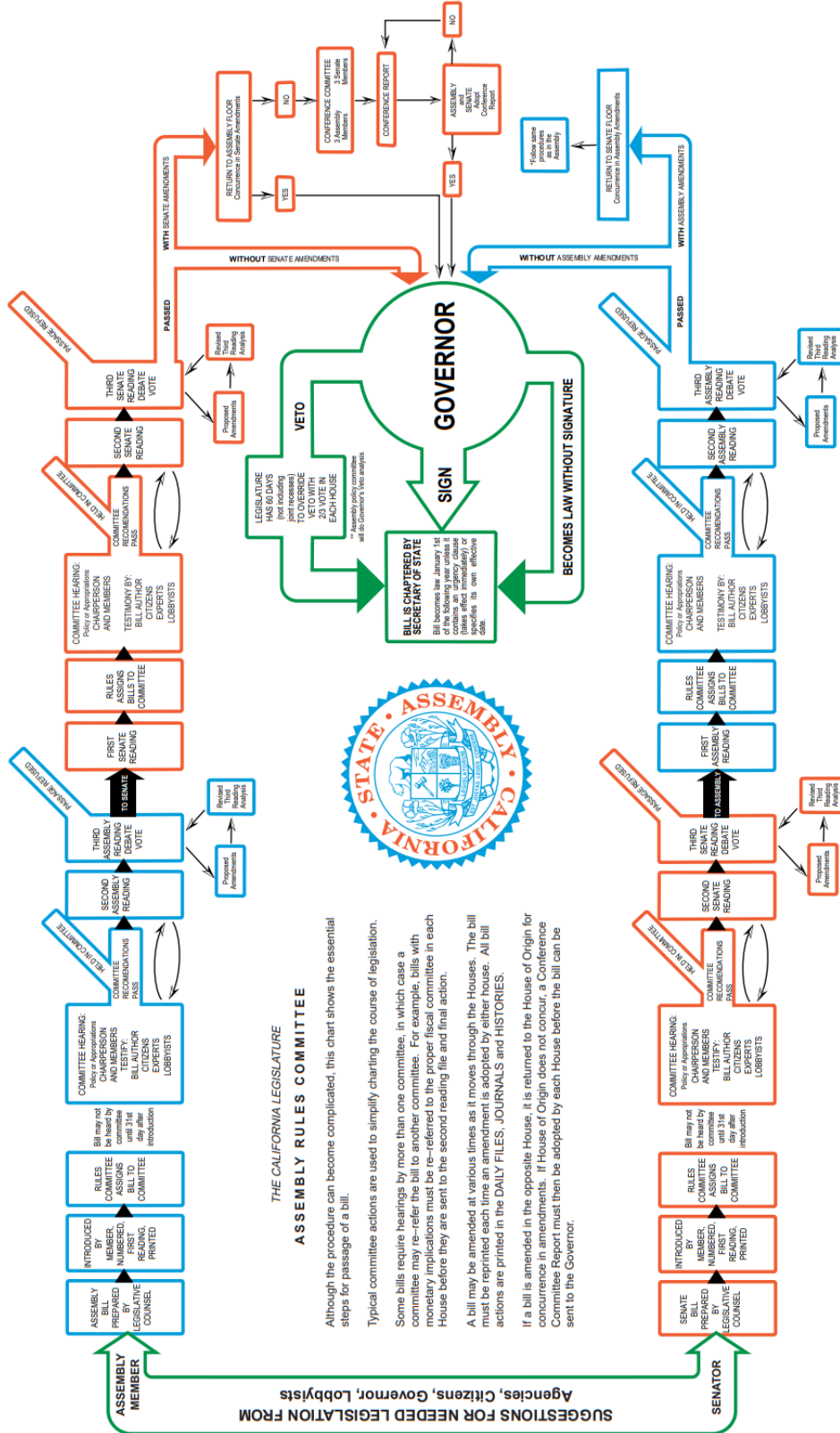
<p>Lanterman-Petris-Short Act: hearings. SB 578, Ch. 389</p> <p><u>Laws:</u> An act to amend Section 5118 of the Welfare and Institutions Code, relating to mental health.</p> <p><u>Summary:</u> Welfare and Institutions Code Section 5118 is amended to state that LPS hearings are to be closed to the public if the hearing involves the disclosure of any confidential information. The bench officer may grant that the hearing be made public upon request of the subject of the proceeding, or upon request by any other party to the case, should the bench officer conclude the public hearing outweighs the individual's right to privacy.</p> <p><u>Court Impact:</u> <i>Inform the bench officers of the change in the law. Inform courtroom clerk staff that the proceedings shall be closed to the public absent a ruling to the contrary by the bench officer.</i></p>	<p style="text-align: center;">Probate and Criminal Impact</p> <p style="text-align: center;">Sheri Gulino</p>
--	---

Probate Informational Bills		Notes
<p>Mental health: involuntary treatment. AB 1443, Ch. 399</p> <p><u>Laws:</u> An act to amend Sections 5121 and 5154 of the Welfare and Institutions Code, relating to mental health.</p> <p><u>Summary:</u> This bill permits any county to develop training and procedures related to taking, or causing to be taken, a person into custody for an involuntary detention, as specified. Requires the County of Sacramento to develop a written policy for training and procedures for designating persons who are employed by the City of Sacramento and who meet specified criteria to involuntarily detain individuals.</p> <p><u>Court Impact:</u> <i>Criminal and Civil Judicial officers should be informed that this bill prohibits a designated member of a mobile crisis team or a designated professional person from being held civilly or criminally liable, as a result of detaining or transporting a person pursuant to the provisions, for any action by the person detained or transported if they are released at or before the end of the 72-hour detention.</i></p>	<p>Criminal and Probate Impact</p> <p>Sheri Gulino</p>	
<p>Civil actions: decedent's cause of action. SB 447, Ch. 448</p> <p><u>Laws:</u> An act to amend Section 377.34 of the Code of Civil Procedure, relating to civil actions.</p> <p><u>Summary:</u> Existing law provides that a cause of action that survives the death of the person entitled to commence an action or proceeding passes to the decedent's successor in interest and an action may be commenced by the decedent's personal representative or, if none, successor in interest. Existing law limits the damages recoverable in that action to the loss or damage that the decedent sustained or incurred before death, including any penalties or punitive or exemplary damages that the decedent would have been entitled to had the decedent lived. Existing law prohibits the recovery of damages for the decedent's pain and suffering, or disfigurement in that action. This bill permits damages for a decedent's pain, suffering, or disfigurement to be recovered in an action brought by the decedent's personal representative or successor in interest if the action was granted preference, pursuant to Section 36 of the Code of Civil Procedure, before January 1, 2022, or was filed on or after January 1, 2022, and before January 1, 2026. The bill requires a plaintiff who recovers damages for pain, suffering, or disfigurement between the specified dates to submit a copy of the judgment, consent judgment, or court-approved settlement agreement entitling the plaintiff to the damages and a cover sheet containing certain information to the Judicial Council. The bill further requires the Judicial Council to transmit a report detailing this information to the Legislature.</p> <p><u>Court Impact:</u> <i>Informational only.</i></p>	<p>Civil and Probate Impact</p> <p>Jamie Newbold</p>	

Probate Informational Bills	Notes
<p>Property taxation: taxable value transfers. SB 539, Ch. 427</p> <p>Laws: An act to add Sections 63.2 and 69.6 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.</p> <p>Summary: Implements Prop. 19. - This bill enacts two new sections of property tax law to assist implementation of Proposition 19 (2020). It will clarify that escape assessments will not be issued after a subsequent eligible transferee no longer qualifies for the exemption; provide that each legal parcel that makes up a family farm is deemed by itself to be a family farm, except for a legal parcel containing a family home, which may qualify separately for the exclusion; ensure consistent use of the term "severely and permanently disabled" throughout the bill; clarify that the limit of three on the number of base year value transfers does not apply to claimants who are victims of a wildfire or natural disaster; state that in cases where the original property has been substantially damaged or destroyed by wildfire or natural disaster and the owner does not rebuild on the original property, the taxable value shall be determined as of the date immediately prior to the wildfire or natural disaster; delete the requirement that each property tax bill envelope sent to a taxpayer to include an electronic address in no less than 12-point type to the county assessor's internet website to file a claim for a Proposition 19 base year value transfer; and make technical and conforming changes.</p> <p>Court Impact. <i>Informational only.</i></p>	<p>Sheri Gulino</p>

How a Bill Becomes a Law

THE LIFE CYCLE OF LEGISLATION From Idea into Law



Source: California State Assembly

ALPHA-NUMERIC BILL LIST			
ASSEMBLY BILLS – 2021			
Bill #	Area	Chapter	Page
AB 3	Criminal	Ch. 611	115
AB 26	Criminal	Ch. 403	106
AB 43	Criminal	Ch. 690	106
AB 68	Civil	Ch. 341	54
AB 81	Civil	Ch. 5	32
AB 124	Criminal	Ch. 695	79
AB 127	Criminal	Ch. 20	81
AB 128 & SB 129	Admin	Ch. 21 & Ch. 69	16
AB 133	Criminal	Ch. 143	82
AB 135	Family	Ch. 85	124
AB 136	Juvenile Dep.	Ch. 76	139
AB 140	Civil	Ch. 111	55
AB 141	Civil	Ch. 70	56
AB 143	Admin, Criminal	Ch. 79	18, 84
AB 145	Criminal, Juvenile Del.	Ch. 80	85, 151
AB 148	Civil	Ch. 115	33
AB 153	Juvenile Dep.	Ch. 86	140
AB 163	Admin	Ch. 251	29
AB 172	Juvenile Dep.	Ch. 696	141
AB 173	Criminal, Family	Ch. 253	107, 135
AB 177	Admin	Ch. 257	19
AB 218	Civil	Ch. 577	35
AB 223	Criminal	Ch. 370	116
AB 237	Admin	Ch. 740	20
AB 260	Juvenile Dep., Probate	Ch. 578	141, 158
AB 262	Criminal	Ch. 193	86
AB 277	Criminal, Family	Ch. 457	86, 125
AB 287	Civil	Ch. 264	56
AB 292	Criminal	Ch. 579	107
AB 331	Criminal	Ch. 113	117
AB 333	Criminal	Ch. 699	87
AB 341	Criminal	Ch. 24	107
AB 366	Juvenile Dep.	Ch. 581	142
AB 414	Admin	Ch. 117	29

ALPHA-NUMERIC BILL LIST			
ASSEMBLY BILLS – 2021			
Bill #	Area	Chapter	Page
AB 419	Criminal	Ch. 91	117
AB 424	Civil	Ch. 559	36
AB 429	Family	Ch. 52	125
AB 430	Civil	Ch. 265	57
AB 462	Family	Ch. 440	135
AB 468	Criminal	Ch. 168	117
AB 473	Civil	Ch. 614	36
AB 490	Criminal	Ch. 407	108
AB 511	Civil	Ch. 617	57
AB 514	Civil	Ch. 518	58
AB 518	Criminal	Ch. 441	88
AB 527	Criminal	Ch. 618	108
AB 535	Criminal	Ch. 466	117
AB 546	Juvenile Dep.	Ch. 519	142
AB 591	Criminal	Ch. 57	118
AB 611	Family	Ch. 151	135
AB 624	Criminal, Juvenile Del.	Ch. 195	88, 151
AB 627	Family	Ch. 58	126
AB 633	Probate	Ch. 119	159
AB 634	Civil	Ch. 348	58
AB 636	Criminal, Family	Ch. 621	108, 136
AB 638	Criminal	Ch. 584	109
AB 640	Juvenile Dep.	Ch. 622	143
AB 651	Civil	Ch. 442	59
AB 654	Admin	Ch. 522	21
AB 670	Juvenile Dep.	Ch. 585	143
AB 673	Family	Ch. 680	136
AB 674	Juvenile Dep.	Ch. 524	144
AB 689	Family	Ch. 152	136
AB 690	Family	Ch. 747	137
AB 700	Criminal	Ch. 196	89
AB 716	Admin	Ch. 526	21
AB 721	Civil	Ch. 349	59
AB 746	Family	Ch. 199	126
AB 750	Criminal	Ch. 267	118

ALPHA-NUMERIC BILL LIST			
ASSEMBLY BILLS – 2021			
Bill #	Area	Chapter	Page
AB 764	Criminal, Family	Ch. 704	109, 137
AB 788	Juvenile Dep.	Ch. 201	144
AB 819	Civil	Ch. 97	59
AB 832	Civil	Ch. 27	37
AB 841	Juvenile Dep.	Ch. 98	144
AB 855	Admin	Ch. 293	22
AB 861	Civil	Ch. 706	60
AB 887	Family	Ch. 681	127
AB 898	Criminal	Ch. 202	90
AB 930	Civil	Ch. 173	60
AB 939	Criminal	Ch. 529	109
AB 974	Criminal	Ch. 175	119
AB 978	Civil	Ch. 125	60
AB 1003	Criminal	Ch. 325	119
AB 1020	Civil	Ch. 473	61
AB 1033	Civil	Ch. 327	62
AB 1057	Criminal, Family	Ch. 682	110, 137
AB 1079	Probate	Ch. 749	159
AB 1104	Admin, Criminal	Ch. 476	22, 120
AB 1138	Civil	Ch. 530	75
AB 1143	Civil, Family	Ch. 156	42, 127
AB 1171	Criminal	Ch. 626	120
AB 1194	Probate	Ch. 417	160
AB 1228	Criminal	Ch. 533	90
AB 1243	Family, Probate	Ch. 273	128, 162
AB 1247	Criminal	Ch. 206	110
AB 1259	Criminal	Ch. 420	91
AB 1281	Criminal	Ch. 209	91
AB 1293	Admin	Ch. 304	30
AB 1318	Criminal	Ch. 210	110
AB 1347	Criminal	Ch. 444	91
AB 1356	Criminal	Ch. 191	121
AB 1405	Civil	Ch. 454	75
AB 1443	Criminal, Probate	Ch. 399	111, 168
AB 1452	Admin	Ch. 717	30

ALPHA-NUMERIC BILL LIST			
ASSEMBLY BILLS – 2021			
Bill #	Area	Chapter	Page
AB 1455	Civil	Ch. 595	62
AB 1475	Criminal	Ch. 126	111
AB 1511	Civil	Ch. 627	63
AB 1540	Criminal	Ch. 719	92
AB 1578	Civil, Juvenile Dep.	Ch. 401	43, 145
AB 1579	Family	Ch. 213	138
AB 1580	Civil	Ch. 30	64
AB 1584	Civil	Ch. 360	64

ALPHA-NUMERIC BILL LIST			
SENATE BILLS – 2021			
Bill #	Area	Chapter	Page
SB 2	Civil	Ch. 409	66
SB 7	Civil	Ch. 19	44
SB 8	Civil	Ch. 161	66
SB 9	Civil	Ch. 162	66
SB 16	Criminal	Ch. 402	93
SB 23	Criminal	Ch. 483	112
SB 24	Family	Ch. 129	128
SB 35	Criminal	Ch. 318	112
SB 44	Civil	Ch. 633	67
SB 60	Criminal	Ch. 307	121
SB 62	Civil	Ch. 329	67
SB 71	Criminal	Ch. 598	93
SB 73	Criminal	Ch. 537	94
SB 81	Criminal	Ch. 721	96
SB 91	Civil	Ch. 2	45
SB 92	Juvenile Del.	Ch. 18	152
SB 95	Admin	Ch. 13	23
SB 155	Civil	Ch. 258	68
SB 170	Admin	Ch. 240	24
SB 241	Admin, Civil, Family, Juvenile	Ch. 214	25, 49, 129,

ALPHA-NUMERIC BILL LIST			
SENATE BILLS – 2021			
Bill #	Area	Chapter	Page
	Dep., Juvenile Del., Probate		146, 153, 163
SB 248	Criminal	Ch. 383	97
SB 270	Admin	Ch. 330	28
SB 287	Criminal	Ch. 610	112
SB 290	Civil	Ch. 340	68
SB 315	Probate	Ch. 215	166
SB 317	Criminal	Ch. 599	97
SB 320	Family, Juvenile Dep., Juvenile Del.	Ch. 685	132, 149, 156
SB 323	Civil	Ch. 216	69
SB 331	Admin, Civil	Ch. 638	30, 52
SB 332	Civil	Ch. 600	69
SB 338	Civil	Ch. 333	69
SB 354	Juvenile Dep.	Ch. 687	150
SB 374	Criminal, Family	Ch. 135	98, 133
SB 380	Civil	Ch. 542	70
SB 383	Juvenile Del.	Ch. 603	157
SB 446	Criminal	Ch. 490	113
SB 447	Civil, Probate	Ch. 448	70, 168
SB 461	Civil	Ch. 140	75
SB 483	Criminal	Ch. 728	99
SB 501	Civil	Ch. 218	71
SB 503	Civil	Ch. 319	71
SB 507	Criminal, Probate	Ch. 426	100, 166
SB 531	Civil	Ch. 455	71
SB 538	Family	Ch. 686	133
SB 539	Probate	Ch. 427	163
SB 567	Criminal	Ch. 731	100
SB 578	Criminal, Probate	Ch. 389	101, 167
SB 606	Admin	Ch. 336	31
SB 654	Family	Ch. 768	134
SB 657	Admin	Ch. 109	28
SB 715	Criminal	Ch. 250	113
SB 727	Civil	Ch. 338	72
SB 742	Criminal	Ch. 737	122

ALPHA-NUMERIC BILL LIST			
SENATE BILLS – 2021			
Bill #	Area	Chapter	Page
SB 762	Civil	Ch. 222	72
SB 775	Criminal	Ch. 551	101
SB 807	Civil	Ch. 278	73
SB 823	Criminal	Ch. 554	114
SB 827	Criminal, Juvenile Del.	Ch. 434	101, 157

BILLS From Previous Years			
Bill #	Area	Chapter	Page
AB 725*	Civil	Ch. 193, Stats 20	53
AB 397*	Criminal	Ch. 610, Stats. 19	76
AB 1076*	Criminal	Ch. 578, Stats. 19	77
AB 2517*	Family	Ch. 245, Stats. 20	123
AB 2847*	Criminal	Ch. 292 Stats. 20	106
AB 3070*	Criminal	Ch. 318, Stats. 20	78
SB 312*	Criminal	Ch. 315, Stats. 20	115
SB 908*	Civil	Ch. 163, Stats. 20	53
SB 1044*	Civil	Ch. 308, Stats. 20	54