

JUVENILE APPELLATE RULES EFFECTIVE JULY 1, 2010

New No.	Old No.	Topic	Substantive Changes
None	5.585(a) & (b)	Right to appeal in 300, 601, 602 cases	Deleted this topic because governed by statute (Welf. & Inst. Code, §§ 395, 800) and case law, not rule. See ADI Manual § 5.12 for suggested statement of appealability.
5.590(a)	5.585(d), 5.590	Advisement of appellate rights	No change. New comment, with case law.
5.590(b)	5.585(e)	Advisement of need for writ petition under Welf. & Inst. Code, § 366.26	Adds: Notice must include time for filing writ petition.
5.595	5.585(c)	Stay pending appeal	See also new rule 8.404.
8.400	8.400(a)	Applicability of rules in this chapter	No change.
8.401	8.400(b)	Confidentiality	No change.
8.403(a)	5.585(a)	Appointment of counsel - delinquency appeal	Child entitled to appointed counsel. If parents can afford counsel but have not retained one, counsel to be appointed at parent's expense.
8.403(b)(1)	5.585(b)	Writ petition as prerequisite to appeal	Based on Welf. & Inst. Code, § 366.26(l) and former rule 5.585(b). 8.403(b)(1)(B): statutory requirement the petition was summarily denied or otherwise not decided on merits added.
8.403(b)(2)	5.585(b)	Appointment of counsel - dependency appeal	Court may appoint counsel for indigent parent, child, or guardian.
8.403(b)(3)	None	Responsibilities of trial counsel under rule 5.661	New to this part of rules; based on Welf. & Inst. Code, § 395.
8.404	None	Stay pending appeal	New: Court may not stay proceedings unless proper provisions made for child. See also new rule 5.595.
8.405(a)	8.400(c)	Notice of appeal	New: Appeal by child must be authorized by client or guardian ad litem.
8.405(b)	8.400(h)	Superior court clerk's duties	Some changes in list of those who must be notified of the filing of the appeal.
8.406	8.400(d)-(g)	Time to appeal	No substantive change.
8.407(a)	8.404(a)	Normal clerk's transcript	Addition: (12) Any written motion or notice of motion, opposition, and written opinion.
8.407(b)	8.404(b)	Normal reporter's transcript	No substantive change.
8.407(c)	8.404(c)	Application in trial court for addition to normal record	Deletes written motion, etc., because now part of normal record under new rule 8.407(a)(12). Indian tribe may apply for addition to record only if it intervened in the proceedings.
8.407(d)	8.404(d)	Agreed or settled statement	No substantive change.
8.407(e)	8.404(e)	Form of record	No substantive change.
8.407(f)	8.404(f)	Transmitting exhibits	No substantive change.
8.408	8.406	Record in multiple appeals in same case	No substantive change.
8.409	8.408(a)-(d)	Preparing and sending record	Provisions on augmenting and correcting moved out of this rule to new 8.410.
8.410(a)	8.408(e)(1)	Omissions from normal record	Provisions spelled out instead of referring to rule 8.340.
8.410(b)(1)	8.408(e)(2)	Augmenting or correcting on order of reviewing court	No substantive change.
8.410(b)(2)	8.340(a), 8.408(e)(1)	Notification of order made in trial court after appeal filed	Trial court clerk must send notice of amendment to or recall of judgment or subsequent order to all who received record. Under rule 8.340(a), which formerly applied, record is automatically augmented to include such order.
8.411	None	Abandonment	Fills gap in providing how and where; authorization required; effects of abandoning; clerk's duties.
8.412	8.412	Briefs	Clarifying changes, not substantive.
8.416	8.416	Fast-track cases	Some clarifying changes. (a)(1)(B)(ii): Substantive change provides method for other courts to opt into fast-track by means of local rule.