

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

**The Attorney General of California has prepared the following circulating title and summary of the chief purposes and points of the proposed measure: (21-0019). ALLOWS A PARTY TO CHOOSE TO HAVE A JURY TRIAL IN CHILD-CUSTODY AND DEPENDENT-CHILD CASES. INITIATIVE STATUTE.** Allows a party in child-custody cases to choose that a jury, rather than a judge, determines who receives legal custody of the child. Prohibits the judge from rejecting a jury’s decision in child-custody cases. Allows a party in dependent-child proceedings to choose that a jury, rather than a judge, determines whether a child should be declared a dependent of the court. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: **Unknown ongoing net fiscal impact on state courts that would depend significantly on (1) how the measure is interpreted and implemented by the courts and (2) how individuals respond to the ability to demand a jury trial in child custody and juvenile dependency jurisdictional hearings. Potential ongoing increase in county costs that could reach the low millions of dollars annually related to juvenile dependency jurisdictional cases - some or all of which could be shifted to the state. (21-0019.)**

To the Honorable Secretary of State of California

I, the undersigned, registered, qualified voter of California, resident of \_\_\_\_\_ County (or City and County), hereby propose amendments to the California Welfare and Institutions Code (WIC), Division 2, Part 1, Chapter 2, Article 9, §356, the California Code of Civil Procedures §592, and California Family Code §3022, relating to retaining legal rights to children, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or as otherwise provided by law. The proposed statutory amendments read as follows: (1) WIC, Div 2, Pt 1, Ch 2, Art 9, §356 "After hearing the evidence, the court, or the jury as a matter of right, shall make a finding if the minor is a person described by Section 300 and the specific subdivisions of Section 300 under which the petition is sustained. If it finds that the minor is not such a person, it shall order that the petition be dismissed and the minor be discharged from any detention or restriction previously ordered. If it finds that the minor is such a person, it shall make and enter its findings and the court shall make orders accordingly". (2) CCP §592, changing the first sentence only as follows, "In actions for the recovery of specific, real, or personal property, with or without damages, or for money claimed as due upon contract, or as damages for breach of contract, or for injuries, or for a party to retain legal rights to their child(ren), an issue of fact must be tried by a jury, unless a jury trial is waived, or a reference is ordered, as provided in this Code." (3) Family Code §3022 **"This section shall be known as TL’s Law. The court may, during the pendency of a proceeding or any time thereafter, make an order for the custody of a child during minority that seems necessary or proper or a party may request a jury as a matter of right to retain legal rights to their child(ren). The court may not contravene a jury verdict."**

**NOTICE TO THE PUBLIC: YOU HAVE THE RIGHT TO SEE AN "OFFICIAL TOP FUNDERS" SHEET.**

**OFFICIAL TOP FUNDERS. Valid only for December, 2021. Updated online.**

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Latest info: [cal-access.sos.ca.gov/Campaign/Measures/](http://cal-access.sos.ca.gov/Campaign/Measures/)

**THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THIS PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT.**

Sign As Registered to Vote:	1. Print Your Name Below: _____	Residence Street Address ONLY: _____
		City: _____ Zip: _____

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on \_\_\_\_\_ at \_\_\_\_\_, \_\_\_\_\_ (place of signing), \_\_\_\_\_ (complete signature indicating full name of voter/circulator)