1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Instructions for Requesting League *Amicus* Assistance

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Thank you for inquiring about *amicus* assistance from the League of California Cities. This memorandum explains the League's policy on *amicus* assistance and the kind of information the committee needs to evaluate your case.

In order for the League to thoughtfully and efficiently consider your *amicus* request, the following information is required:

1. Completion of the League's online *amicus* request form located at: www.cacities.org/requestamicus. **A failure to complete the form and clearly articulating how the issue(s) in the case meet the criteria for League *amicus* assistance (outlined below) will adversely affect the outcome of the *amicus* request.** Once a case is submitted for consideration, League staff will be automatically notified and will contact the *amicus* requestor.

2. Providing League staff with relevant supplemental materials to distribute to the committee to make an informed decision regarding the request, including but not limited to a copy of the underlying court of appeal or trial court decision, or the petition for review as appropriate.

3. While not required, the committee strongly encourages the identification of a brief writer.

Criteria for League *Amicus* Assistance

The League board of directors' policy direction to the committee is that *amicus* assistance is authorized when the outcome of the case will have major significance to cities in general. Major significance is to be determined by the effect the case outcome could have on existing statutory or case law and in accordance with the following guidelines:

- Whether the issue would have a statewide significance and is one in which all cities have a common interest in the same outcome, and

- Whether the issue would have a significant impact on a significant number of cities which have a common interest in the same outcome and would not have a foreseeable adverse impact on other cities.

Timing Issues

The full process for filing an *amicus* brief on behalf of the League can take a number of months, so it is critical that the committee receive the request for *amicus* assistance **at the earliest possible opportunity**. Letters in support of publication, depublication or review have a shorter time frame, but early submission of *amicus* requests are always encouraged to ensure that the committee has sufficient time to consider the request and recruit a writer. Please consult the rules of court concerning timeframes for *amicus* submittals to make sure there is enough time to mount a credible *amicus* effort.

Decision-Making Process

Amicus assistance is evaluated by the League's Legal Advocacy Committee, a committee of 24 city attorneys from around the state. The committee typically meets quarterly. If your briefing schedule requires, an executive committee meeting may be scheduled before the next full LAC meeting.

The committee's, or executive committee's recommendations, are typically considered by the League's Executive Director or in certain circumstances, the League's board of directors. Once approval has been obtained a volunteer *amicus* writer must be recruited if one has not already been identified, and the letter or brief must be reviewed by a brief supervisor, generally a member of the Legal Advocacy Committee, as well as by League staff prior to filing.

Questions?

If you have any questions about the process, please contact Patrick Whitnell, General Counsel, via email at pwhitnell@cacities.org or by phone at 916.658.8281.