



Trusted Leadership
for California's Public
Risk Sharing Pools

CAJPA Amicus Program

CAJPA engages in advocacy on behalf of California public entities before the appellate courts through its Legal Affairs Committee. CAJPA recognizes that laws affecting public entities are made not only in the Legislature, but in the courts as well. CAJPA weighs in on legal issues when it can act as a “friend of the court” and provide additional argument in a case when it is likely to help advance the legal interests of public entities by establishing legal precedent that benefits public entities.

If an entity has a matter in which it believes *amicus* support would be beneficial, the entity can submit a request for support to CAJPA, through the CAJPA website. Upon receiving an *amicus* request, the Chair of the Legal Affairs Committee will reach out to the person/entity who submitted the request and acknowledge receipt of the request. The Chair may also request additional information such as pertinent briefing be provided to the Committee for review. The Legal Affairs Committee will then review and make a decision upon the request.

Whenever possible, and to maximize the use of limited resources, CAJPA will collaborate and join with other public entity associations and organizations in *amicus* efforts.

Depending upon the case and the status of it in the appellate courts, the Committee may take action including without limitation any of the following:

1. Approve *amicus* appearance by brief or other argument;
2. Authorize a letter be set to the Court either seeking or opposing review of a decision or seeking or opposing a request for publication or decertification of a published opinion;
3. Authorize a letter or brief seeking or opposing court rehearing of a decision;
4. Decide not to enter an appearance or send a letter in response to an *amicus* request.

All actions of the Legal Affairs Committee shall require a majority of a quorum of the current members.

In determining whether to take action on an *amicus* request, the Legal Affairs Committee may consider the following non-exclusive list of factors:

1. Whether there are any California public entities that have an interest adverse to the interests that would be advocated by CAJPA if CAJPA supported the *amicus* request;
2. Whether the issue that is the subject of the *amicus* request would have statewide significance;
3. Whether all California public entities have a common interest in the same outcome;
4. Whether the issue would have an impact on a significant number of public entities that have a common interest in the same outcome;
5. Whether CAJPA can provide assistance to the reviewing Court through an *amicus* brief or whether the brief would merely be restating the public entity's position;
6. The timeliness of the request;
7. The availability of *pro bono* counsel to prepare a brief on behalf of CAJPA and/or the availability of funds for the retention of an attorney to prepare a brief;
8. The desire of the party requesting assistance; and
9. Whether there is a realistic chance of prevailing or positively impacting law.