

CALIFORNIA LAWYERS ASSOCIATION
REQUEST FOR PUBLICATION POLICY

A request to publish an unpublished opinion by a California Court of Appeal shall comply with the following requirements:

- A. A request for publication shall originate in a committee that reviews unpublished opinions to determine whether they satisfy a standard for publication under rule 8.1105 of the California Rules of Court. The committee may be a Section committee, a committee of more than one Section, or an Association-wide committee.
- B. Each committee member shall be an attorney and member in good standing of the State Bar of California, experienced in the subject areas of the opinions reviewed by the committee, and well-qualified to evaluate whether an opinion satisfies the standards for publication.
- C. The process for selecting unpublished opinions to review shall ensure that the selection is objective and nonpartisan.
- D. For each unpublished opinion reviewed, the committee shall determine whether the opinion satisfies a standard for publication under rule 8.1105, and if the opinion satisfies such a standard, a request for publication shall be made pursuant to rule 8.1120 of the California Rules of Court.
- E. The committee shall provide an annual report to the Board of Representatives listing the committee members, the cases in which requests for publication were made, and the disposition of each request, and shall provide a copy of each request with the annual report. A copy of the annual report and the requests shall be provided to and reviewed by the Executive Committee(s) of the participating Section(s).
- F. The committee shall be governed by a written policy consistent with the foregoing requirements.
- G. An application to form a committee to request publication must be submitted to and approved by the Board of Representatives before the committee may begin operating.
- H. Notice shall be given to the Section and California Young Lawyers Association Executive Committee Chairs that a request for publication is being proposed by a Section or CLA with three business days to object to the proposal. Any objection to a request for publication shall specify the basis of the objection. A copy of any notice given or objection made under this paragraph shall be provided to the Director of Governmental Affairs.