S288176

IN THE SUPREME COURT OF CALIFORNIA

FAMILY VIOLENCE APPELLATE PROJECT ET AL.,
Petitioners,

v.

SUPERIOR COURT OF CONTRA COSTA COUNTY ET AL.,
Respondents,

THE LEGISLATURE OF THE STATE OF CALIFORNIA,
Real Party in Interest.

APPLICATION TO FILE AMICUS CURIAE BRIEF & BRIEF OF AMICUS CURIAE CALIFORNIA LAWYERS ASSOCIATION IN SUPPORT OF PETITIONERS

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Application by California Lawyers Association to File Amicus Curiae Brief in Support of Petitioners

Pursuant to rules 8.200(c) and 8.487(e) of the California Rules of Court, California Lawyers Association (CLA) respectfully applies for leave to file the accompanying amicus curiae brief in support of petitioners Family Violence Appellate Project and Bay Area Legal Aid. Amicus is familiar with the content of the parties' briefs.

CLA is a nonprofit, voluntary bar association serving licensed attorneys throughout California, with approximately 48,000 members. It is a member-driven, mission-focused organization dedicated to the professional advancement of attorneys practicing in the state. CLA is the premier statewide voice for the legal community, advocating on behalf of its members before all branches of government.

The issue of utilizing electronic recording to create a record of oral proceedings has widespread importance to CLA attorneys (and non-CLA attorneys) in every area of practice who litigate in the trial and appellate courts. CLA offers this brief to emphasize that a verbatim record is of critical importance and that Government Code section 69957's severe restrictions on electronic recording substantially impair the constitutional powers of appellate courts when a court reporter is not practicably available.

No party or counsel for a party authored the proposed amicus brief in whole or in part, or made any monetary contribution intended to fund the preparation or submission of

the brief. No person or entity other than amicus curiae, its members, or its counsel in the pending case made any monetary contribution intended to fund the preparation and/or submission of the proposed amicus brief. (Cal. Rules of Court, rules 8.200(c)(3), 8.487(e)(5).)

Respectfully Submitted,

April 4, 2025 **Complex Appellate Litigation Group LLP**
Jocelyn Sperling
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By /s/ Jocelyn Sperling
Jocelyn Sperling

Attorneys for Amicus Curiae
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Amicus Curiae Brief by California Lawyers Association in Support of Petitioners

I. Introduction

The record of oral proceedings is of paramount importance in appellate litigation. As Justice Wiseman famously wrote, if something "is not in the record, it did not happen." (*Protect Our Water v. County of Merced* (2003) 110 Cal.App.4th 362, 364.) Even without an appeal, a record of oral proceedings may be of vital importance, particularly when there are ongoing or subsequent trial proceedings.

Courts and practitioners have recognized for decades that the state's historical practice of relying on court reporters to prepare a record of oral proceedings was fast approaching a breaking point, as the number of court reporters has steadily decreased while the number of court proceedings has dramatically increased. That point has been reached; in a staggering percentage of cases, no record of oral proceedings is created due to a lack of court reporters. This problem threatens the appellate rights of hundreds of thousands of California litigants each year and infringes on the constitutional power of appellate courts.

A settled or agreed statement is no solution to the court reporter crisis. The solution is to allow courts and parties to make a verbatim record through electronic recording. But Government Code[1] section 69957 prohibits courts from using electronic

[1] Statutory references are to the Government Code unless otherwise noted.

recordings to make a record in unlimited civil, family, and probate proceedings. Section 69957's prohibition on electronic recordings impedes appellate review and substantially impairs the constitutional powers of the courts when a court reporter is not practicably available.

The Court should grant writ relief and conclude that section 69957 may not be applied to litigants who cannot afford or otherwise practicably obtain a private court reporter when the trial court does not provide a reporter.

II. Argument

A. Section 69957 Substantially Impairs and Practically Defeats the Constitutional Powers of Appellate Courts

As the petition explains, a verbatim record is essential to appellate review. (Petn. 21–24; see also *post*, section II.B.) The statutory prohibition on electronic recording in unlimited civil, family, and probate proceedings prevents the effective exercise of the constitutionally granted power of appellate review in cases where a court reporter is not practicably available – that is, when the court does not provide a reporter and the litigants either cannot afford a private court reporter or none is available.

1. The Legislature may not restrict appellate review in a manner that substantially impairs or practically defeats appellate jurisdiction

Under the state Constitution, the "courts of appeal have appellate jurisdiction when superior courts have original jurisdiction[.]" (Cal. Const., art. VI, § 11; see also *id.*, § 10

[appellate jurisdiction over writs].) Appellate jurisdiction is "the power to review and correct error in trial court orders and judgments." (*Leone v. Medical Bd. of Cal.* (2000) 22 Cal.4th 660, 668 (*Leone*).)

While the Legislature has the power to specify procedures governing the exercise of appellate jurisdiction (most notably, whether review is by direct appeal or writ petition), a legislative rule is unconstitutional if it prevents effective review. "Because the appellate jurisdiction clause is a grant of *judicial* authority, the Legislature may not restrict appellate review in a manner that would ' "substantially impair the constitutional powers of the courts, or practically defeat their exercise." ' [Citations.]" (*Leone*, *supra*, 22 Cal.4th at p. 668, original italics.) For example, a statute limiting appellate review to writ proceedings would be unconstitutional " '[i]f it could be demonstrated in a given case, or class of cases, that, for whatever reason, the Courts of Appeal or this court could not effectively exercise the constitutionally granted power of appellate review by an extraordinary writ proceeding . . . .' " (*Ibid.*, quoting *Powers v. City of Richmond* (1995) 10 Cal.4th 85, 110 (plur. opn. of Kennard, J.).)

This Court's decision in *Leone* discussed some restrictions that could rise to the level of a constitutional violation, although the plaintiffs in that case failed to meet the standard. The plaintiffs argued that a statute permitting only writ review of physician disciplinary decisions "substantially impair[ed]" appellate jurisdiction because courts of appeal summarily deny more writ petitions than they affirm judgments in direct appeals.

(*Leone*, *supra*, 22 Cal.4th at p. 668.) The Court rejected the argument because it lacked evidentiary or logical support. First, the plaintiffs cited no statistics to support their assertion that the rate of summary denials was greater than the affirmance rate. (*Id*. at p. 669.) Second, there was "no reason to infer from the frequency of summary denials that extraordinary writ review is not a sufficient or effective appellate remedy" because the statute placed no limits on appellate review. (*Ibid*.) For example, it placed no limit on the type of error that appellate courts could correct or on the record that appellate courts could consider. (*Ibid*.)

Here, in contrast to *Leone*, statistics and logic show that section 69957's restriction on electronic recording "substantially impairs" or "practically defeat[s]" the exercise of appellate courts' constitutional powers when a court reporter is not practicably available. (*Leone*, *supra*, 22 Cal.4th at p. 668.) While in the past section 69957 allowed the appellate courts to operate effectively, that is no longer the case because (1) there is a growing and systemic shortage of licensed court reporters in California and (2) the price of available private court reporters is outside the reach of most litigants.

2. Section 69957 substantially impairs and practically defeats the constitutional powers of the appellate courts because there is a structural shortage of court reporters

The first reason section 69957 impairs the effective exercise of appellate jurisdiction is that, while in the past there were ample court-employed reporters, there is now an extreme and

growing shortage of both public and private court reporters. The petition describes the paucity of court-employed reporters, and the resulting lack of verbatim records in an alarming number of proceedings. (Petn., pp. 26–33.)

Petitioners' claims are supported by recent data. A Judicial Council report from March 2025 demonstrates that from April 2023 through December 2024, an estimated 1,518,805 hearings went unreported in unlimited civil, family, and probate proceedings – more than 60,000 hearings per month. (Judicial Council, *Research and Data: Shortage of Court Reporters in California* (data updated March 2025) (*CJC Research and Data*).)[2] In percentage terms, 93.9 percent of hearings in unlimited civil cases, 52.2 percent of hearings in family cases, and 57.3 percent of hearings in probate cases lacked a verbatim record. (*Ibid.*)

These numbers are driven in large part by the continuing shortfall of court-employed reporters. An estimated 458 positions (nearly one-third) remain unfilled. (*CJC Research and Data*, *supra*.) And courts lose reporters faster than they can replace them. (*Ibid.*)

Nor is this just the courts having difficulty competing with the private market for these services. The overall pool of licensed reporters – private and public – is decreasing each year through attrition. (*CJC Research and Data*, *supra*; see also Legis. Analyst, letter to Sen. Thomas J. Umberg (2023–2024 Reg. Sess.) Mar. 5,

[2] <https://courts.ca.gov/news-reference/research-data/shortage-court-reporters-california> (as of April 3, 2025).

2024, pp. 4–5.)[3] The number of licensed reporters has fallen by over 25 percent since 2010, and nearly half of the remaining license holders are nearing retirement. (*CJC Research and Data*, *supra*.) There are already not enough court reporters to fill the role section 69957 demands, and the problem will just keep getting worse. As Legal Services of Northern California reports, the more rural areas of the state are already unable to obtain enough private court reporters regardless of price. (Amicus Letter of Legal Services of Northern California, dated Jan. 7, 2025.) This is no longer a theoretical possibility but an unavoidable reality. Section 69957 requires services that, as a practical matter, no longer exist in sufficient quantity to meet the need.

3. Section 69957 substantially impairs and practically defeats the constitutional powers of the appellate courts because many litigants cannot afford the private court reporters that do exist

The second reason section 69957 impairs the effective exercise of appellate jurisdiction is closely related to the first reason: the growing scarcity of private court reporters has driven the cost of such services beyond what is affordable for many litigants. Basic market dynamics have caused the cost of private court reporters to grow as the number of available reporters shrinks – particularly given that, under section 69957, court reporting services are the only permissible way to create a

[3] <https://lao.ca.gov/letters/2024/Letter-Umberg-Court-Reporters-030524.pdf> (as of April 3, 2025).

verbatim transcript in most cases, which makes them in high demand.

Private court reporting services are already cost-prohibitive for most Californians. The average cost of a *single day* of trial reporting is $3,300. (*CJC Research and Data, supra*.) In California, the median household annual income, before taxes, is $96,334, or $8,028 per month.[4] A median household would need to spend 34 percent of its *gross* annual income to pay for reporting of a ten-day trial. That is more than state guidelines suggest should be spent on a year of housing.[5] And these costs will certainly continue to grow as the pool of licensed reporters shrinks.

Given these financial realities, this is not a problem that can be addressed only for litigants who are eligible for fee waivers, even if this limited approach would simplify "administrability." (Response of Respondents Superior Courts of California, Counties of Contra Costa, Los Angeles, Santa Clara, and San Diego to Order to Show Cause, filed on March 21, 2025 (Response), p. 7, fn. 2.) No litigant should be required to spend a substantial portion of their income to make a verbatim record. Even assuming means testing would be more administratively complicated than determining eligibility for fee waivers, that is

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[4] U.S. Census Bureau, *QuickFacts California* <https://www.census.gov/quickfacts/fact/table/CA/INC110222> (as of April 3, 2025).

[5] A household is considered "cost burdened" if it spends "more than 30 percent of household income on housing costs." (Gov. Code, § 65584.01, subd. (b)(1)(H)(i).)

not a reason to doom most litigants to the choice of spending a substantial portion of their income to pay for a private court reporter or forgoing the possibility of appellate review.

The statutory requirements are simply incompatible with the modern reality of a shrinking pool of licensed court reporters whose services continue to command higher rates under the law of supply and demand. As discussed in the next section and in the petition, fundamental rules governing appellate review essentially preclude review without a record of oral proceedings. Because there are not, and will never again be, sufficient court reporters to report all hearings where a transcript is needed, and because the cost of scarce private court reporters is unaffordable for many litigants, the prohibition on electronic recording essentially blocks appellate courts from exercising their constitutional power of review. That reality constitutes a substantial impairment of the judicial branch's constitutional powers (*Leone*, *supra*, 22 Cal.4th at pp. 668–669), and the problem will continue to grow unless the statutory impairment is removed.

B. A Verbatim Record of Oral Proceedings Is Essential to Meaningful Appellate Review

The absence of a verbatim record will frequently preclude resolution of an appeal on the merits. (*Jameson v. Desta* (2018) 5 Cal.5th 594, 608 (*Jameson*).) Judgments and orders are presumed to be correct, and the appellant has the burden of showing reversible error with an adequate record. (*Id.* at pp. 608–609.) If the record is missing or incomplete, it is construed

against the appellant. (*Sutter Health Uninsured Pricing Cases* (2009) 171 Cal.App.4th 495, 498.) Absent a complete record, "it is presumed that the unreported trial testimony would demonstrate the absence of error." (*Estate of Fain* (1999) 75 Cal.App.4th 973, 992.) This presumption is conclusive. (See, e.g., *Stasz v. Eisenberg* (2010) 190 Cal.App.4th 1032, 1039.) In short, " ' "if the record is inadequate for meaningful review, the appellant defaults and the decision of the trial court should be affirmed." ' [Citation.]" (*Jameson*, *supra*, 5 Cal.5th at p. 609.)

In light of these fundamental rules governing appellate review, the absence of a verbatim record often deprives litigants of their right to appeal – including in cases involving domestic violence restraining orders, custody disputes, and probate matters.

Members of CLA sections and committees – particularly those on the Litigation Section's Committee on Appellate Courts, but also many others who are involved with appeals – are keenly aware of the need for a verbatim record on appeal. Practitioners routinely turn down potential appeals when there is no reporter's transcript. They have described the following problems:

- One attorney explained that the lack of a reporter's transcript is a pervasive problem in family law appeals. In a significant percentage of consultations, this attorney and the client decide not to pursue an appeal because there is no verbatim record, particularly in fact-intensive areas such as domestic violence restraining orders and child custody, where review is impossible without a verbatim record.

- A civil appellate specialist similarly noted the need to turn down multiple appeals because there was no reporter's transcript. This undoubtedly reflects the experience of many appellate attorneys. The same attorney also observed that many self-represented litigants learn about the unavailability of a court reporter only after they arrive at a hearing, and they do not understand the importance of procuring a verbatim record.

- As one specialist in both appellate law and family law explained, "even lawyers sometimes forget to order a court reporter. A divorce, custody or parentage case is the most important thing that happens in many people's lives. It's terrible for the case to suffer due to the absence of a record."

- In a trust case, an attorney and nonprofit organization represented a disabled, elderly client at a two-week trial. The court did not provide a court reporter, and the client could not afford a private one. The client lost the case and might have appealed, but the lack of a reporter's transcript made it practically impossible to do so.

These are but a few of the numerous, everyday problems that CLA's members and their clients face when verbatim records are not available for use on appeal.

C. A Settled Statement or Agreed Statement Is Not an Adequate Replacement for a Verbatim Record of Oral Proceedings on Appeal

The Rules of Court theoretically allow parties to prepare a record of oral proceedings by using a summary of the proceedings

and evidence, either as a settled or agreed statement. (Cal. Rules of Court, rules 8.120(b), 8.134, 8.137.) But this is usually no substitute for a verbatim record. Indeed, this Court has held that an in forma pauperis litigant is entitled to a court-provided reporter in part because a settled or agreed statement is not a viable alternative to protect that litigant's appellate rights. (*Jameson*, *supra*, 5 Cal.5th at p. 622, fn. 20.)

Even if experienced trial counsel keep contemporaneous notes to facilitate the creation of a settled or agreed statement, such statements are not a feasible alternative in a proceeding of any length or complexity. And, of course, many litigants have no attorney. As the petition notes, one or both parties are self-represented in 75 percent of family law cases. (Petn., p. 23, fn. 16.) Many self-represented litigants are unaware of the settled or agreed statement process and, even if they are, it is undoubtedly difficult for them to learn the mechanics of preparing one.

After the 2018 amendments to the settled statement process, a 2020 survey of 140 decisions discussing settled statements showed that more than 80 percent of appellants either did not use one when they should have or failed to follow the proper procedures. (Grimes et al., *Navigating the New Settled Statement Procedures* (No. 2 2020) 33 Cal. Litigation 23, 29.)

Even if parties comply with the detailed procedures for a settled statement, settled statements are simply not a reliable way to record what happened, particularly given that there may be a significant gap in time between the proceedings and the settling of a statement. Judges often will not remember what

occurred months after the proceedings, during which time they have presided over hundreds of other matters. Courts recognized the problem with settled settlements more than a half-century ago. (*Calhoun v. Hildebrandt* (1964) 230 Cal.App.2d 70, 72; *People v. Wilson* (1977) 72 Cal.App.3d Supp. 59, 63–64.) It is difficult to understand how this type of record – reconstructed from memory and notes taken while presiding over a trial – can be viewed as reliable. (See *In re Armstrong* (1981) 126 Cal.App.3d 565, 573 ["where the parties are not in agreement, and the settled statement must depend upon fading memories or other uncertainties, it will ordinarily not suffice"].) A settled statement is certainly far less reliable than an audio recording.

The problem is aggravated by the fact that electronic recording cannot even be used to assist the court in settling the record. Parties are permitted to make personal electronic recordings with court permission, but the court is prohibited from listening to the recordings in order to settle the record because "[t]he recordings must not be used for any purpose other than as personal notes." (Cal. Rules of Court, rule 1.150(c), (d).) Thus, if the court does not provide a court reporter and the parties cannot afford or otherwise obtain a private court reporter, the parties cannot even stipulate to make recordings to assist the court with preparing a settled statement.

Agreed or settled statements are a good way to shore up a missing record concerning an unreported bench conference, but they are no substitute for a verbatim transcript of oral testimony.

D. A Verbatim Record of Oral Proceedings Is Often Essential Even Absent an Appeal

A verbatim record is not just essential for appeals. It is also important in some cases where no appeal is anticipated. The absence of a verbatim record can harm litigants when, for example, a dispute or uncertainty arises about the court's decision or the basis of that decision. Or it can harm litigants if the case plays out for months or years and there is no record of what happened earlier. It is challenging enough when the same judge presides over the matter in the future, because the judge may hear hundreds of matters in the interim and may forget what occurred. It is impossible for a new judge to know the details of what occurred earlier without a verbatim record. The problems are exacerbated when one or both litigants are self-represented.

Practitioners have emphasized the importance of a verbatim record for trial court proceedings:

- As one attorney explained, if a new attorney substitutes in, a verbatim record of a hearing or trial is critical – particularly when the litigant was self-represented – so that the new attorney can fully understand what took place and how to proceed rather than rely on the client's memory or understanding, or on a minute order that might be incomplete or even inconsistent with what actually happened.

- One family law attorney described a case in which the court did not provide a court reporter at a hearing and the parties could not afford a private one. During the hearing, the court made several rulings, and

counsel later disagreed about what the rulings were. The minute order was not helpful (and was inaccurate about some undisputed matters). The attorneys submitted competing orders after the hearing. Before ruling on the dispute, the judge was reassigned to a different department. The new judge was unable to resolve the matter, and there was no order entered after the hearing. The parties needed rulings, so they were forced to compromise and stipulate to an order that each party could live with.

- Another family law attorney explained that the lack of a reporter deprives parties of a record of the court's reasoning and can cause them to miss work due to continuances granted simply because no reporter was available. The parties might need to proceed without a reporter because of the time sensitive nature of issues like domestic violence restraining orders and child custody.

- One probate attorney emphasized that the details of a prior hearing or bench trial can be important to frame the issues of a subsequent proceeding. For example, consider a beneficiary of a trust who files a petition to invalidate the trust based on undue influence. At a bench trial, the probate court finds there was no undue influence. There is no court reporter, and the court's minute order does not include any details. The prevailing beneficiary then files a petition to enforce the trust's no-contest clause (to disinherit the petitioning beneficiary) on the ground that the petition lacked probable cause. (Prob. Code, § 21311, subd. (a)(1).) Without a verbatim record, the prevailing beneficiary cannot rely on the court's prior findings to show lack of probable cause – even though issue preclusion would apply and likely

impact the probable-cause analysis. (*Key v. Tyler* (2019) 34 Cal.App.5th 505, 534–535, 539.)

- Prior hearings can be important to visitation and custody issues in family law and conservatorship cases. For example, at a hearing the court might grant a family member visitation of a conservatee and explain the circumstances under which the court would increase or limit visitation, but the minute order only states that the request was granted. If someone later seeks to modify the order and the judge does not remember the details (or if there is a new judge), that person will not be able to use the transcript to show the court's reasoning about the circumstances warranting a change in visitation.

E. Electronic Recording Is an Established, Commonly Used Technology for Creating an Official Record

The solution to the court reporter shortage is clear. Digital recording technology is ubiquitous; even a mobile phone can create high fidelity digital audio or video recordings. Many California courtrooms are already equipped with audio recording equipment. California courts are already recording proceedings in limited civil, misdemeanor, and infraction cases.

This Court's oral arguments are digitally recorded, broadcast live, and archived on the Internet. So are oral arguments at the Courts of Appeal. The United States Supreme Court began audio recordings of oral arguments in the 1950's.[6]

[6] See *Argument Audio* <https://www.supremecourt.gov/oral_arguments/argument_audio/2024#:~:text=The%20Court%20began%20audio%20recording,beginning%20of%20the%20next%20Term> (as of April 3, 2025).

Federal district judges may use electronic recordings instead of court reporters, and electronic recording is the normal practice before magistrate judges and bankruptcy judges. (28 U.S.C. § 753, subd. (b); Judicial Conference of the United States, *Guide to Judiciary Policy: Court Reporting Guidance*, vol. 6, §§ 280.40 (magistrate judges) and 420.10 (bankruptcy court); see generally *id.*, vol. 6, §§ 350 et seq.)[7] Most states also use electronic recording in their courts. (Cal. Access to Justice Com., *Access to the Record of Cal. Trial Court Proceedings* (Nov. 16, 2024), pp. 16–17.)[8] Thus, modern audio recording equipment is widely used to create an accurate and inexpensive record of proceedings in virtually every courtroom setting except unlimited civil, family, and probate proceedings in California.

In its amicus letter opposing the petition, the Service Employees International Union California State Council (SEIU California) argues that the Legislature's control over the public purse allows section 69957's restrictions on electronic recording so that courts do not "rush to 'purchase' " recording equipment. (Amicus Letter of SEIU California, dated Dec. 16, 2024, pp. 4–5.) Similarly, Respondents argue that the Court should not mandate

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[7] <https://www.uscourts.gov/administration-policies/judiciary-policies/court-reporting-guidance> (as of April 3, 2025).

Audio recording has been authorized by the Judicial Conference of the United States since 1983, and digital audio recording since 1999. (Report of the Proceedings of the Judicial Conference of the United States (Sept. 1983), pp. 47–49; Report of the Proceedings of the Judicial Conference of the United States (Sept. 1999), pp. 56–57.)

[8] <https://calatj.org/publications/a2r> (as of April 3, 2025).

the installation of new equipment for courtrooms that are currently without it. (Response, pp. 7–8.) Questions about how much money to spend, if any, and where to spend it, are not relevant to the constitutional questions before the Court. Regardless, most courtrooms in the state are equipped with electronic recording. (Petn., p. 40 & fn. 65.) The fact that some courtrooms do not currently have such equipment is no reason to prohibit its use where the equipment is available.[9]

III. Conclusion

The inability to use electronic recording to create a verbatim record, combined with the shortage of court reporters, is substantially impairing the constitutional powers of the appellate courts. That problem has been growing for decades and is now past the point of no return. While decades ago courts provided court reporting services to all litigants, today section 69957's restriction on the use of electronic recording when a licensed court reporter is not practically available creates a two-track system of justice. Wealthy litigants, particularly those in large metropolitan areas, can compete for the dwindling supply of private court reporters and preserve a record for appeal. For everyone else, a verbatim record will be increasingly unavailable,

[9] In fact, California's judiciary has recent experience with this solution. During the COVID-19 pandemic, emergency rule 3 of the California Rules of Court authorized "electronic recording to make the official record of an action or proceeding." (Cal. Rules of Court, emergency rule 3 (effective April 6, 2020, through December 31, 2021).)

and thus so will meaningful appellate review. That is an untenable situation both for litigants and for the appellate courts' exercise of their constitutional authority.

Amicus curiae California Lawyers Association respectfully requests that this Court consider this brief in support of the petition and grant the relief requested by Family Violence Appellate Project and Bay Area Legal Aid.

Respectfully Submitted,

April 4, 2025

Complex Appellate Litigation Group LLP
Jocelyn Sperling
Michael von Loewenfeldt

By /s/ Jocelyn Sperling
Jocelyn Sperling

Attorneys for Amicus Curiae
California Lawyers Association

Certificate of Word Count

The text of this brief consists of 4,225 words as counted by the Microsoft Word program used to generate this brief.

Dated: April 4, 2025

/s/ Jocelyn Sperling
Jocelyn Sperling

Proof of Service

I, Stacey Schiager, declare as follows:

I am over the age of eighteen years and am not a party to this action. My business address is 96 Jessie Street, San Francisco, CA 94105. On April 4, 2025, I served the following document:

Application to File Amicus Curiae Brief & Brief of Amicus Curiae California Lawyers Association in Support of Petitioners

On April 4, 2025, the above-identified document was electronically served on all parties and the California Court of Appeal via TrueFiling, which will submit a separate proof of service.

Additionally, on April 4, 2025, I served the above-identified document by mail. I enclosed a copy of the document in an envelope and deposited the sealed envelopes with the U.S. Postal Service, with the postage fully prepaid. The envelopes were addressed as follows:

Hon. Edward G. Wei, Presiding Judge
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Hon. Sergio C. Tapia, Presiding Judge
David Slayton, Executive Officer/Clerk of Court
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Hon. Beth McGowen, Presiding Judge
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Sacramento, CA 95814

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 4, 2025.

/s/ Stacey Schiager
Stacey Schiager