



Judicial Council of California

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Subject Details (With Text)

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Title

Rules and Forms | Appellate Procedure: Attachment of Trial Court Order to Petition for Review of Summary Denial of Writ Petition (Action Required)

Summary

The Appellate Advisory Committee recommends amending the rule of court governing petitions for review in the Supreme Court to provide for attachment of the entire trial court order when the petitioner seeks review of a Court of Appeal summary denial of a writ petition. This change will facilitate review on the merits and streamline procedures. When the Court of Appeal summarily denies a writ petition, the underlying trial court order is necessary to identify the issues in dispute. Under the current rule, however, a petitioner cannot attach a trial court order that exceeds 10 pages to a petition for review without first requesting and obtaining the permission of the Chief Justice.

Recommendation

The Appellate Advisory Committee recommends that the Judicial Council, effective January 1, 2024, amend California Rules of Court, rule 8.504, to require that if a petition for review seeks review of a Court of Appeal order summarily denying a writ petition, a copy of the underlying trial court order challenged in the Court of Appeal writ proceeding must be attached to the petition for review.