

**MINUTES OF THE MEETING OF THE APPELLATE COURTS SECTION
OF THE LOS ANGELES COUNTY BAR ASSOCIATION**

Tuesday, June 6, 2017
4:30 p.m. to 6:00 p.m.
Court of Appeal
Second Appellate District
Employee Lounge on Third Floor
300 S. Spring Street
Los Angeles, California 90013

**“Five Fatal Mistakes That Could Doom Your Writ Petition and How to
Avoid Them”**

Moderator: Jens B. Koepke, Esq., Shaw Koepke & Satter

Panelists: Sharon Baumgold, Esq., Lead Appellate Court Attorney,
California Court of Appeal, Second District, Division 1
Pablo Drobny, Esq., Lead Appellate Court Attorney
California Court of Appeal, Second District, Division 7

Attendees:

George Abele	Rashida Adams	Elizabeth Anthony
James Azadian	Sarvenaz Bahar	Daniel Barer
Heather Beatty	Marina Bogorad	Kent Bullard
Gary Cohen	Douglas Collodel	Dawn Cushman
Thomas Dunlap	Paul Eisner	Stuart Esher
Tracy Fehr	Dennis Fischer	Ernestine Forrest
Joshua Furman	Jennifer Hansen	Anne Huarte
Mark Irvine	Shaun Jacobs	Henry Josefsberg
Steven Katz	Matthew Levinson	Jeffrey Lewis
Joanna McCallum	Gary Ostrick	Brad Paley
Patricia Quilizapa	Matthew Scherb	Leslie Shear
Julia Shear-Kushner	Jack Sholkoff	Marketa Sims
Randall Spencer	Sherry Swieca	John Taylor, Jr.
Michael Walsh	J. Alan Warfield	H. Thomas Watson
Troy Weatherup	Cory Webster	

The Program

The written program materials included provisions pertaining to writ procedures in the California Constitution, Codes, and Rules of Court, as well as summaries of certain case opinions on writ procedures.

During the program, the moderator and the panelists discussed and answered numerous questions regarding five fatal writ petition mistakes: (1) filing an untimely petition, either by failing to meet a statutory deadline or by waiting too long in light of ongoing trial court proceedings or by waiting until the very last day and failing to follow proper procedures, for example attempting to file a petition electronically; (2) filing a petition seeking review from an order not suited for writ relief, for example a conditional or non-final trial court ruling; (3) failing to adequately make a request for a stay of trial court proceedings or overstating the need for an immediate stay; (4) providing an inadequate record supporting a petition, for example by failing to include necessary documents such as the complaint or a signed court order or a reporter's transcript or declaration summarizing the relevant oral proceedings; and (5) seeking a writ for an improper purpose, such as delay, or using an improper tone in the petition, for example by unduly criticizing the trial judge.

Approved on July 7, 2017

Kent J. Bullard
Treasurer, Appellate Courts Section