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

1
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