

Hearing: August 1, 2008

ITEM 12

CHIEF LEGAL COUNSEL'S REPORT New Filings, Recent Decisions, Litigation Calendar

This public session report is intended only as an information item for the public.¹ Commission communications with legal counsel about pending litigation or potential litigation are reserved for Closed Executive Session, per the Notice and Agenda.

New Filings

None.

Recent Decisions

- *San Diego Unified School Dist. v. Commission on State Mandates and California Department of Finance*, San Diego County Superior Court, Case No. 37-2007-00064088-CU-PT-CTL, [Parameters and Guidelines Amendment, *Emergency Procedures, Earthquake Procedures, and Disasters and Comprehensive School Safety*]

On June 27, 2008, the San Diego Superior Court upheld the Commission's decision in amending parameters and guidelines to end reimbursement for the *Emergency Procedures* program on December 31, 2004. The court agreed that statutory amendments made the program inapplicable to public school districts. The court further agreed that although the amendments moved emergency procedure language into the broader context of a schools' comprehensive school safety plan, the requirements in the new statutory scheme were not simply a restatement of the old requirements.

Litigation Calendar

Case Reference	Hearing Date
None	

¹ Based on information available as of July 17, 2008. Release of this litigation report shall not be deemed to be a waiver of any privileged communication or act, including, but not limited to, the attorney-client privilege and the attorney work product doctrine.