

ITEM 8

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

- **Notice of Appeal Filed**
County of San Diego v. Commission on State Mandates,
Fourth District Court of Appeal, Case No. (Not Yet Assigned)
San Diego County Superior Court, Case No. 37-2020-00009631-CU-WM-CTL
(*Youth Offender Parole Hearings*, 17-TC-29)
Appeal Filed: November 5, 2021

The San Diego Superior Court, on September 1, 2021, entered judgment affirming the Commission's decision denying the test claim. The trial court found that the test claim statutes do not impose any state-mandated activities on local government. The trial court further found that the test claim statutes changed the penalty for a crime within the meaning of Government Code section 17556(g) and, therefore, there are no costs mandated by the state. The County filed a notice of appeal on November 5, 2021

Recent Decisions

None.

Litigation Calendar

Nothing scheduled at this time.

¹ Based on information available as of November 17, 2021. 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.