



An Introduction to California Legal Resources

BY LISA SCHULTZ

In California, there's a saying: "As California goes, so goes the nation." As with all sayings, its veracity is up for debate. However, it is clear that while the nation may not ultimately "go" in the same direction, California's laws often do at least inform the discussion. In its 2019 legislative session the California legislature enacted 870 bills.¹ The impact of many of these new laws will be felt far beyond the borders of California. For example, California became the first state in the country to allow college athletes to be paid for endorsements and the use of their image. Within days, multiple states had similar bills introduced in their state legislatures.² Colorado lawmakers have promised to introduce a bill in the 2020 session.³ Recently, California filed a lawsuit challenging the Trump administration's move to roll back California's vehicle emissions standards. Colorado adopted California's low-emission vehicle standard⁴ and

joined the lawsuit.⁵ Additionally, the reach of California's Consumer Privacy Act (CCPA), the groundbreaking data privacy law that went into effect on January 1, 2020, is still unclear, though experts expect it to have a nationwide impact.⁶

Due to the reach of California's laws, Colorado legal researchers are likely to encounter a California legal research project.⁷ This article explores some California-specific resources and tools available to Colorado legal researchers who confront questions involving California law or a Colorado research problem that originated with a California law. All of the resources discussed in this article are free, except those within the section on California-specific secondary sources.

Secondary Sources

When researching an unfamiliar area of law, most researchers will begin in a secondary source. This section serves as an introduction

to the many state-specific resources that are available.

Online Research Guides

Online legal research guides are often a great starting point. These guides are prepared by law librarians and provide in-depth coverage of California legal resources. The guides produced by the following law libraries are excellent resources:

- the Loyola Marymount University, Loyola Law School, Los Angeles library⁸
- the University of California, Los Angeles library⁹
- the University of Southern California library¹⁰
- the Georgetown University Law Library.¹¹

California-Specific Secondary Sources

Anyone tasked with researching substantive California law should be familiar with the following resources, which are searchable via paid subscription services:

- **Witkin treatises.** The first stop for most new California attorneys. Includes *California Criminal Law*, *California Evidence*, *California Procedure*, and *Summary of California Law*. Published by Thomson Reuters. Available on Westlaw and LexisNexis.
- **California Jurisprudence, 3d.** California's general legal encyclopedia. Published by Thomson Reuters. Available on LexisNexis and Westlaw.
- **Rutter Group Practice Guides.** A go-to resource for both California and federal issues, covering over 40 topics, from California criminal procedure to public sector employment litigation. Published by Thomson Reuters. Available on Westlaw.
- **Matthew Bender California Practice Guides.** Set of 15 California-specific practice guides, covering family law to wage and hour law. Published by Matthew Bender & Company, Inc. Available on LexisNexis.
- **CEB resources.** Over 100 practice guides and form books written by California attorneys. Extensive coverage with a focus on civil litigation, criminal law, estate

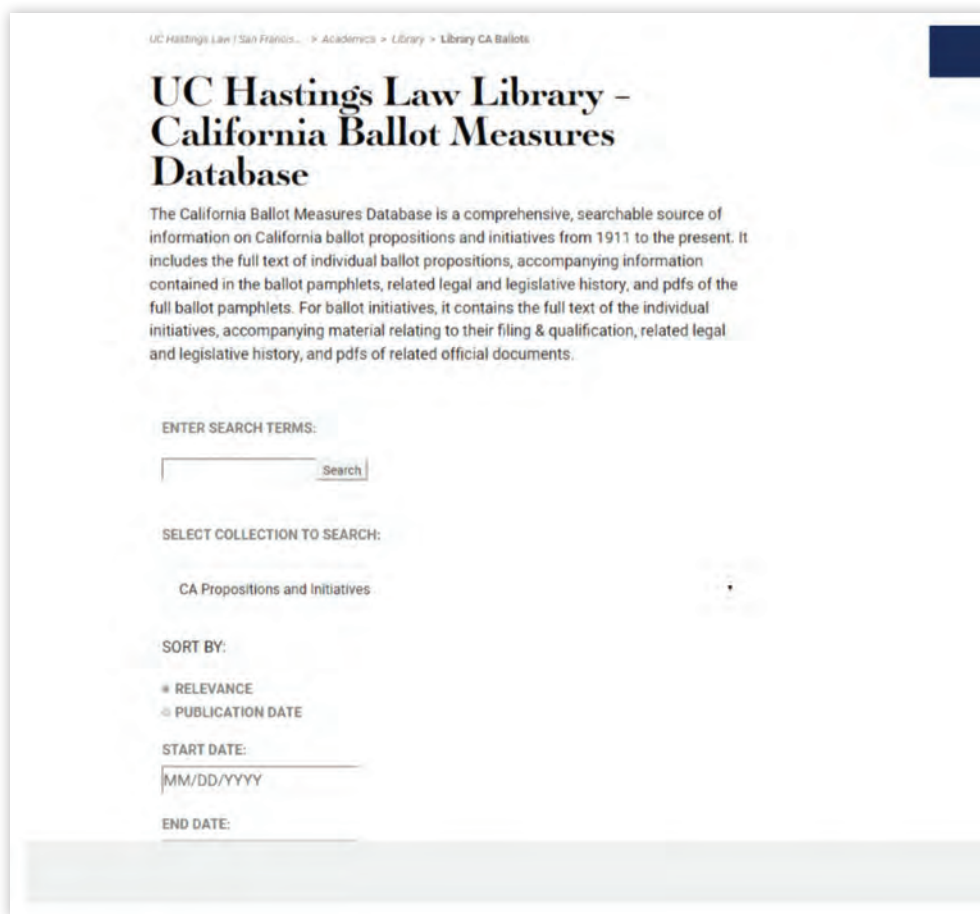


Figure 1. The UC-Hastings California Ballot Measures Database. www.uchastings.edu/academics/library/ca-ballots.

planning, business law, and property. Published by CEB. Available on CEB OnLaw¹² (some titles also available on LexisNexis).

Primary Sources

There are a variety of free government websites that provide access to California primary law. While locating current laws is relatively simple, the researcher will have mixed success conducting historical research.

California Constitution

The original California Constitution was adopted in 1849. In 1878, a second constitutional convention was held, and 152 delegates drafted the second, and current, California Constitution, which was adopted in 1879. The California Constitution can be found in the annotated California Codes (see below). A searchable version of the current constitution is also available on the California Legislative Counsel's website.¹³

The California Constitution can be amended by legislative proposal, by elector-proposed or initiative-proposed amendment, or by constitutional convention. The UC-Hastings Law Library maintains a database of California ballot propositions and initiatives (1911-present).¹⁴ This database includes the full text and PDFs of the propositions and initiatives, as well as ballot pamphlets and related legal and legislative history. (See Figure 1.)

California Statutes

The laws of California consist of acts passed by the California legislature, as well as initiatives passed by the California electorate. The California Secretary of State's website¹⁵ is a good source of information on ballot initiatives, providing data tables and summaries of initiatives from 1912 to 2018, as well as a detailed guide on the initiative process.

There are two unofficial versions of California's statutory codes, *West's Annotated California Codes*, published by Thomson Reuters, and *Deering's California Codes Annotated*, published by LexisNexis. The California Legislative Counsel publishes an official and authenticated version of the California codes online.¹⁶ Note that statutes enacted in one calendar year generally take



Figure 2. The California Legislative Information website, showing a recent Senate Bill. To locate legislative history information, click on the tabs labeled "Votes," "History," "Bill Analysis," etc. leginfo.legislature.ca.gov/faces/billSearchClient.xhtml.

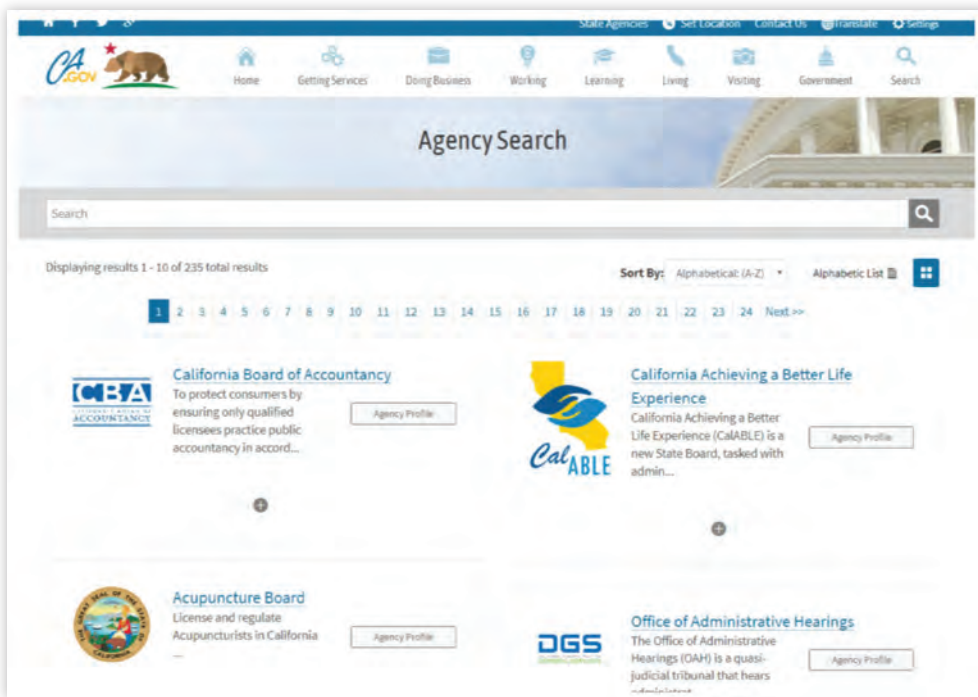


Figure 3. CA.gov's Agency Search. Locate California agencies by name or topic. www.ca.gov/agencysearch.

effect on January 1 of the following year, unless the statute is an urgency measure or the terms of the statute state otherwise.

California Legislative History

Compiling a legislative history can be a time-consuming process, especially when researching legislation before the mid-1990s. This is true in Colorado and for federal statutes as well. In California, for bills passed in or after 1993, most major legislative history materials are available on the California Legislative Information website.¹⁷ (See Figure 2.) This website includes the bill's history, votes, committee reports, bill summaries, and bill text. Additionally, the California State Senate provides a database of Senate Floor Sessions and Committee Hearings that have been televised (2005–present).¹⁸

For bills passed before 1993, the process is much more cumbersome. Legal researchers should consult one of the legal research guides mentioned above for the relevant steps. To compile a full legislative history on older bills, it's usually necessary to consult a library that serves as a state depository. However, some material is available online, including:

- California Statutes and Amendments to the Code (1850–2008)¹⁹
- California State Assembly and Senate Final History (1881–2013)²⁰
- California State Assembly Journals (1849–2011).²¹

The legal researcher may want to consider companies that specialize in compiling legislative histories for a fee. These companies include:

- LRI History LLC²²
- Legislative Intent Services.²³

California Regulations

California regulations are located in the California Code of Regulations (CCR). The official publisher is Barclays, a division of Thomson Reuters. There is a free online version of the official CCR.²⁴ The California Regulatory Notice Register²⁵ updates the CCR weekly and contains notices of proposed regulatory actions by state regulatory agencies.

Note that the Building Code, Title 24, is not published as part of either the print or online version of the CCR. Title 24 is published every three years by the California Buildings Standards Commission and is available on its website.²⁶

Legal researchers may also need to access administrative decisions, which can be a challenging process. Agency websites are often the best place to start. The California State government website provides an agency list²⁷ that can be used to locate relevant agencies. (See Figure 3.)

California City and County Municipal Codes

California is home to 482 municipalities and 58 counties. City or county codes can often be accessed on the official city or county website. However, when trying to locate the laws of more than one city, or if the city's website is difficult to navigate, this route may be unnecessarily time-consuming. The Institute of Governmental Studies at the University of California at Berkeley maintains a large depository of local codes and charters issued by California cities and counties.²⁸ Many city and county codes can also be found at the Municode website.²⁹

Other Resources

By law, each of California's 58 counties maintains a county law library where the public can freely access legal materials.³⁰ While this may not seem particularly helpful to Colorado residents, many of the libraries serving larger counties maintain websites with access to their catalogs, helpful research guides, and reference assistance.³¹

Conclusion

This article provides just a brief overview of California legal resources. Beyond these resources, subscription databases offer many more specialized materials. However, the tools discussed above can give Colorado researchers a good starting point, and potentially provide a final answer, when confronted with a California legal research problem. CL



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NOTES

1. Office of Governor Gavin Newsom, Governor Newsom Takes Final Action of 2019 Legislative Season (Oct. 13, 2019), <https://www.gov.ca.gov/2019/10/13/governor-newsom-takes-final-action-of-2019-legislative-season>.
2. Gregory, "How California's Historic NCAA Fair Pay Law Will Change College Sports for the Better," *Time Magazine* (Oct. 1, 2019), <https://time.com/5689548/california-ncaa-law>.
3. Burness, "Colorado lawmakers promise 2020 bill to let college athletes make money," *Denver Post* (Oct. 1, 2019), <https://www.denverpost.com/2019/10/01/colorado-california-pay-student-athletes>.
4. Chuang, "Colorado Votes 8-0 to Join California's Low-Emission Vehicle Standard," *Colorado Sun* (Nov. 15, 2018), <https://coloradosun.com/2018/11/15/colorado-vote-california-low-emission-vehicle-standard>.
5. Complaint for Declaratory and Injunctive Relief, *California v. Chao*, No. 19-02826 (D.D.C. Sept. 20, 2019), https://oag.ca.gov/system/files/attachments/press_releases/California%20v.%20Chao%20complaint%20%2800000002%29.pdf.
6. Roberts, "Here Comes America's First Privacy Law: What the CCPA Means for Business and Consumers," *Fortune* (Sept. 13, 2019), <https://fortune.com/2019/09/13/what-is-ccpa-compliance-california-data-privacy-law>; McIntosh, "Privacy Basics for Colorado Lawyers: The Colorado Consumer Data Privacy Act and the California Consumer Privacy Act," 48 *Colo. Law.* 26 (Sept. 2019).
7. See, e.g., Hazel et al., "Colorado's Outdoor Industry Products: What are the Warning Labels All About?" 48 *Colo. Law.* 42 (Jan. 2019).
8. LMU, Loyola Law School, Los Angeles, William M. Rains Library Legal Research Guides, <http://guides.library.lls.edu/?b=g&d=a>.
9. UCLA School of Law, Hugh & Hazel Darling Law Library Legal Research Guides, <https://libguides.law.ucla.edu/?b=g&d=a>.
10. USC Gould School of Law, Asa V. Call Law Library Legal Research Guides, http://lawlibguides.usc.edu/sb.php?subject_id=103829.
11. Georgetown Law Library Legal Research Guides, <https://guides.ll.georgetown.edu/california>.
12. CEB recently released a new platform called CEBPro to replace CEB OnLaw. See <https://store.ceb.com> for product information.
13. California Legislative Information, California Constitution, <http://www.leginfo.ca.gov/faces/codesTOCSelected.xhtml?tocCode=CONS&tocTitle=+California+Constitution+-+CONS>.
14. UC Hastings College of the Law, California Ballot Measures, <https://www.uchastings.edu/academics/library/ca-ballots>.
15. Alex Padilla, California Secretary of State, History of California Initiatives, <https://www.sos.ca.gov/elections/ballot-measures/resources-and-historical-information/history-california-initiatives>.
16. California Legislative Information, California

- Law, <http://www.leginfo.ca.gov/faces/codesTOCSelected.xhtml>.
17. For bills from 1993 to 2016, see California Legislative Information, Bill Information, <http://leginfo.ca.gov/bilinfo.html>. For bills from 1999 to present, see California Legislative Information, Bill Search, <http://leginfo.ca.gov/faces/billSearchClient.xhtml>.
18. California State Senate, Media Archive, <https://www.senate.ca.gov/media-archive>.
19. Office of the Chief Clerk, California State Assembly Statutes, https://clerk.assembly.ca.gov/archive-list?archive_type=statutes.
20. Office of the Chief Clerk, California State Assembly Histories and Indexes, https://clerk.assembly.ca.gov/archive-list?archive_type=histories.
21. Office of the Chief Clerk, California State Assembly Journals, <https://clerk.assembly.ca.gov/archive-list>.
22. LRI History LLC, <http://www.lrihistory.com>.
23. Legislative Intent Service, Inc., <http://www.legintent.com>.
24. Thomson Reuters Westlaw, California Code of Regulations, <http://bit.ly/31owYiM>.

25. Office of Administrative Law, California Regulatory Notice Register, https://oal.ca.gov/publications/notice_register.
26. California Building Standards Commission, California Building Standards Code, <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.
27. CA.gov, Agency Search, <https://www.ca.gov/agencysearch>.
28. Institute of Governmental Studies, California Local Codes and Charters, <https://igs.berkeley.edu/library/california-local-government-documents/codes-and-charters>.
29. Municode, California, <https://library.municode.com/ca>.
30. California County Public Law Libraries, Find Your Nearest California County Law Libraries, <http://www.publiclawlibrary.org/law-libraries>.
31. See, e.g., Bernard E. Witkin Law Library in Alameda County, <http://lawlibrary.acgov.org>; LA Law Library in Los Angeles County, <http://www.lalawlibrary.org>; San Francisco Law Library in San Francisco County, <https://sflawlibrary.org>; and San Diego Law Library in San Diego County, <https://sandiegolawlibrary.org>.

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