Rules of Court, Rule 8.29

Rule 8.29. Service on nonparty public officer or agency

(a) Proof of service

When a statute or this rule requires a party to serve any document on a nonparty public officer or agency, the party must file proof of such service with the document unless a statute permits service after the document is filed, in which case the proof of service must be filed immediately after the document is served on the public officer or agency.

(b) Identification on cover

When a statute or this rule requires a party to serve any document on a nonparty public officer or agency, the cover of the document must contain a statement that identifies the statute or rule requiring service of the document on the public officer or agency in substantially the following form: “Service on [insert name of the officer or agency] required by [insert citation to the statute or rule].”

(c) Service on the Attorney General

In addition to any statutory requirements for service of briefs on public officers or agencies, a party must serve its brief or petition on the Attorney General if the brief or petition:

(1) Questions the constitutionality of a state statute; or

(2) Is filed on behalf of the State of California, a county, or an officer whom the Attorney General may lawfully represent in:

(A) A criminal case;

(B) A case in which the state or a state officer in his or her official capacity is a party; or

(C) A case in which a county is a party, unless the county's interest conflicts with that of the state or a state officer in his or her official capacity.

Credits Formerly Rule 44.5, adopted, eff. Jan. 1, 2004. As amended, eff. July 1, 2004. Renumbered Rule 8.29 and amended, eff. Jan. 1, 2007.)