

SAMPLE PETITION FOR REVIEW

The basic components of a Petition for Review in the California Supreme Court are listed below (*) is attached, but you should remember that these forms are only samples. Any blanks in the forms must be filled in; names, dates, and case numbers must be tailored to your particular case and should be based on the arguments raised in your Appellant's Opening Brief. Typewritten petitions cannot exceed 30 pages; but the table of contents, table of authorities, and Court of Appeal opinion are not counted in that limit.

* COVER PAGE WITH TITLE

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APPENDIX (COPY OF OPINION)

PROOF OF SERVICE

Do not be discouraged if you feel that you cannot draft a petition which will look exactly like a petition written by a lawyer. The Supreme Court will realize that you are proceeding in propria persona and will excuse any minor defects in the form of the petition. The most important thing about the petition is that it must convince the justices on the Supreme Court that you have a meritorious case which should be heard by the highest court in the State of California. The briefs filed on your behalf in the Court of Appeal should supply the arguments and case law citations to be included in the petition.

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

[LOS ANGELES COUNTY DEPARTMENT OF)
CHILDREN AND FAMILY SERVICES];) Court of Appeal No. _____
[VENTURA COUNTY HUMAN SERVICES)
AGENCY]; [SANTA BARBARA COUNTY CHILD) Juvenile Court No. _____
WELFARE SERVICES]; [SAN LUIS OBISPO)
COUNTY DEPARTMENT OF SOCIAL SERVICES])
)
Petitioner and Respondent,)
)
v.)
)
YOUR NAME,)
)
Objector and Appellant.)
_____)
)

PETITION FOR REVIEW

YOUR NAME

Your Street Address
Your City and State
Your Phone Number

In Propria Persona

ISSUES PRESENTED FOR REVIEW

(This is one of the most important sections of the petition. It may be the first place the justices look to decide if your case is important enough to deserve the Supreme Court's attention. Furthermore, if review is granted, the Supreme Court is required to consider only the issues presented in the petition or in the answer (if one is filed) by the opposing party. The Court need not consider other issues in the case, even though those issues were raised in the lower court, unless it chooses to do so.)

NOTE: In most cases, the Supreme Court will refuse to consider issues that were not timely raised in the briefs filed in the Court of Appeal.

STATEMENTS OF FACTS

[You may draft your own statement of the facts relevant to the arguments you will be presenting, using the Statement of Facts in your Appellant's Opening Brief as a model. However, if you believe that all the necessary facts were fairly stated in the opinion written by the Court of Appeal, you can save time by adopting the facts as stated in the opinion, using language similar to that set forth below.]

For the purposes of this Petition for Review, appellant adopts the facts as stated in the opinion of the Court of Appeal. Additional facts relevant to the issues presented herein will be incorporated in the arguments which follow.

CONCLUSION

For the foregoing reasons, appellant respectfully urges this Honorable Court to grant review in this matter.

DATED: _____

Respectfully submitted,

YOUR NAME
In Propria Persona

DECLARATION OF SERVICE BY MAIL

I, _____, declare:

I am a resident of the County of _____. I am over the age of eighteen years and am not a party to the within entitled action. My address is _____ . On _____, I served the within **PETITION FOR REVIEW** on the Interested Parties in said action by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____, California.

(Name)