

# E-Mails Between League of California Cities and City Attorney May Be Public Records

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ATTORNEYS

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E-mails sent to a city attorney by the League of California Cities ("League") may be subject to disclosure under the Public Records Act. In ***League of California Cities v. Superior Court*** (2015) 241 Cal.App.4th 976, the League sent e-mails to a city attorney who was on its legal advocacy committee. The e-mails were sent to the city attorney's personal account, and were forwarded from his personal account to a work-related account. The Court also addressed two additional issues.

Under the California Public Records Act ("Act"), only a "party" may seek appellate review. However, the Court of Appeal held that the League was deemed a "party" under the Act despite the fact that the records request was not directed at the League. The Court of Appeal held that a "party" under the Act is not limited to the actual parties, but also to nonparties with a beneficial interest in the litigation or those who are affected by the outcome.

Next, the Court also did not find any attorney-client relationship between the city attorney and the League. The Court reasoned that to the extent the city attorney participates in the League to benefit a city and its residents, "the public has a right to know the extent of his participation and his position on matters presented to him by the League."

**If you would like more information regarding any aspect of this decision, please contact B. Tilden Kim.**