

ACCG Amicus Curiae Brief Policy

From time to time, ACCG will enter an appellate case as amicus curiae on issues of which are of direct importance to the association and its membership.

Any county attorney desiring ACCG to enter an appellate case in the capacity of amicus curiae should submit to ACCG Legal Administrative Assistant at LegalAdministrativeAssistant@accg.org all of the following: a completed Amicus Curiae Brief Request Form; a survey of the relevant cases and statutes; a copy of all orders entered in the proceeding; and a copy of all opinions and briefs which have been filed in the proceeding.

Upon receipt of all required materials, the request will be reviewed by the legal staff. In order to be accepted, the request must meet certain minimum standards and comply with acceptance criteria which include, but are not limited to, the following:

The case must be at the appellate level. ACCG does not participate in matters at the trial level.

The request must be made timely so as to allow ACCG staff sufficient time to research, write, and file the brief. Even if a request is timely made, there are certain times of the year when ACCG may not have sufficient legal and support staff time and resources to participate.

The case must have statewide impact or concern issues with broad public policy implications which are of substantial interest to the association and its members.

The case must involve additional issues beyond those which have already been asserted by the county.

It general, the participation of ACCG should inform the court of a larger legal landscape to which the issue before it belongs, provide a collection of historical and factual references that merit judicial notice, explain how a particular statute at issue fits within a larger statutory framework, provide a voice for other counties in Georgia that are not a party to the case, or identify some potential unintended consequences of an adverse opinion.

ACCG will decline to participate if it appears that the briefs already filed in the case adequately address the interests of the association and its members.

ACCG will generally decline to participate in cases in which its members are on opposite sides of the issue in contention or in which the position being asserted could impact adversely the association or its membership.

ACCG will decline to participate when the position being asserted by the county conflicts with the County Platform or Legislative Priorities of the association.