

# National Police Accountability Project

A Project of the National Lawyers Guild

## Procedures for Requesting Amicus Support

Any request for NPAP to participate as amicus curiae in a case will be submitted to the NPAP Legal Director at [legal.npap@nlg.org](mailto:legal.npap@nlg.org). Requests must be submitted *45 days before the briefing due date*.

However, exceptions to this deadline will be made for compelling cases when NPAP has capacity to draft and review briefs. Requests for support shall include:

- A brief summary of the case including a description of the issue(s) under review, the facts relevant to the issue(s), and the ruling under review;
- A statement as to why the issue justifies NPAP amicus support;
- A statement of all relevant briefing deadlines; and
- Supporting materials, including:
  - The opinion and/or order under review;
  - Briefing submitted in relation to the issue under review (e.g., opposition to summary judgment motion).

## Case Selection Criteria

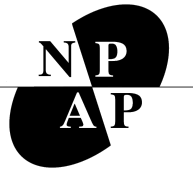
### *Factors to Consider in Evaluating Amicus Request*

In evaluating a request to draft an amicus brief, the Amicus Committee will consider the following factors:

- Whether the case falls within NPAP's priority areas:
  - Qualified Immunity (Excessive force, “arguable probable cause” and other erosions of constitutional protections)
  - Local Government Liability, *Monell*
  - PLRA (physical injury requirement, admin exhaustion)
  - Attorney's Fees
  - Damages
- NPAP capacity to recruit or draft a brief in time to comply with internal and submission deadlines;
- For requests to support cert petitions, a favorable ruling to the party seeking amicus support would set useful precedent in law enforcement misconduct jurisprudence;
- Whether a NPAP member is counsel in the case;
- Whether the case will provide NPAP with the opportunity to present court with arguments and/or perspectives on issues of importance to members;
- Whether the issue(s) is/are of importance to the public, particularly communities that are disproportionately impacted by law enforcement misconduct.

In evaluating a request to sign onto an amicus brief, the Amicus Committee will consider the following factors:

- Whether the case will potentially set bad precedent;
- Whether the case will provide NPAP with the opportunity to present the court with ideas/perspective on issue of importance to members;



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- Whether signing onto the brief will strengthen NPAP's relationship with co-signers or party seeking amicus support
- NPAP capacity to review a brief and provide feedback prior to the submission deadlines