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. 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;
• 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