

# **Informational Update on Robles-Wong v. California**

**June 26, 2012**

# Background: 2007-2010

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## *Alameda Launches “the Litigation Project”*

- *Community Meetings in February 2007.*
- *Groups formed to look into (1) increased local fundraising, (2) legislative lobbying, and (3) viability of litigation*
- *Report to Board on “Viability of Litigation to Improve State Funding of AUSD” in June 2007*
- *Work continued in 2007 and beyond to search for and secure pro bono legal counsel for possible litigation, to organize and coordinate with possible plaintiffs across California, to craft and draft the legal arguments, and to prepare to sue the State*

# Background: 2007-2010

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## *Robles-Wong v. California is Filed*

- *Together with eight other school districts, families from across California, the California PTA, the California School Boards Association, and the Association of California School Administrators, on May 20, 2010, AUSD and four Alameda families filed a lawsuit, Robles-Wong v. California, alleging that the State's current school finance system violates the California constitution. (CTA joined the case later in 2010.)*
- *The suit alleges that the State's current system is "insufficient, irrational and unstable" and that it violates children's fundamental right to an education.*

# Robles-Wong v. CA: 2010-2012

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## *Robles-Wong v. California Moves Through the Courts*

- *In December 2010 Judge Steven A. Brick of Alameda County Superior Court Brick heard arguments on the State's motion to dismiss the plaintiffs' Complaint. In support of the State's motion, the Deputy Attorney General arguing the case asserted that "there is no constitutional mandate for a quality, meaningful education."*
- *After a ruling in January 2011 that granted the State's motion in part and denied the State's motion in part, plaintiffs filed a first amended complaint in the spring of 2011 .*

# **Robles-Wong v. CA: 2010-2012**

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## ***Robles-Wong v. California Moves Through the Courts***

- In July 2011, Judge Brick of Alameda County Superior Court presided over a hearing to review the State's demurrer to (effort to dismiss) the plaintiffs' first amended complaint.***
- At the hearing in July 2011, Judge Brick pointed out that in Serrano v. California (the last constitutional challenge to California's school finance system, first filed in 1968), the trial court dismissed the case, the case was then appealed and the appellate courts clarified the law. The trial court subsequently tried the case using new legal guidelines from higher courts.***

# **Robles-Wong v. CA: 2010-2012**

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## ***Robles-Wong v. California Moves Through the Courts***

- ***After a ruling in the summer of 2011 granting the State's demurrer and also granting plaintiffs an opportunity to file a second amended complaint, plaintiffs decided to appeal the rulings from Superior Court.***
- ***Appellants' opening brief in that appeal is due June 25, 2012.***