

# The Reporter Returns



The Center for Public Interest Law is pleased to announce the return of the *California Regulatory Law Reporter*.

For fifteen years (1980–1995), CPIL published the *Reporter*, the only journal in the nation which covered the activities of over fifty state administrative agencies regulating business, professions, trades, and the environment. The *Reporter* was the centerpiece of our academic program at the University of San Diego (USD) School of Law. In that program, law students learned the substantive laws governing California's major state-level regulatory agencies—the Administrative Procedure Act, the Bagley-Keene Open Meeting Act, and the California Public Records Act. To enhance their classroom coursework, students were also assigned to personally monitor the activities of two California agencies by traveling to agency meetings wherever they were held in the state, researching and studying their agencies' enabling acts and regulations, interviewing agency members and staff, and tracking pending legislation and litigation affecting their assigned agencies or their licensees. Four times per year, students wrote comprehensive articles about the activities of their agencies during the prior quarter; those articles were edited and published in the *Reporter*.

In addition, CPIL faculty, professional staff, and—at times—law student interns engaged in advocacy on behalf of the public interest in the legislature, the courts, and before the agencies themselves. In our advocacy, we attempted to ensure that diffuse, unorganized interests which are otherwise unrepresented—such as consumers, children, taxpayers, the environment, and the future—were “at the table” along with monied special interests organized enough to hire lawyers and lobbyists to represent them in governmental proceedings.

We like to think we made a difference. Among other things, we successfully petitioned the Public Utilities Commission for access to energy company billing envelopes and created the Utility Consumers' Action Network (UCAN), now the third-largest ratepayer organiza-

tion in the nation. We drafted bills creating remedies for violation of the state's open meeting laws by state and local agencies. We sponsored a bill which—for the first time in decades or possibly in California history—abolished an unnecessary regulatory agency; and we successfully advocated the passage of another bill which has finally created the “sunset review” process in California, enabling the legislature to engage in more meaningful oversight of the administrative agencies it has created and which purportedly protect the public. We played a role

in the legislative overhaul of the State Bar's attorney discipline system and the Medical Board's physician discipline system. We created the Privacy Rights Clearinghouse, focusing on an important and emerging legal and policy issue: the protection of our personal informational privacy. We created the Children's Advocacy Institute, a sister organization which has successfully drafted and sponsored dozens of bills, litigated cases, petitioned agencies to adopt regulations, and created a new personalized license plates program to benefit California's children—perhaps the most vulnerable and underrepresented interest of all.

And we published the *Reporter*. In hindsight, perhaps the best thing we did was to send our

students to agency meetings and publish the *Reporter*. For fifteen years, the very presence of our law students at agency meetings (whether those students actually knew anything about the law or not) had an impact on agency compliance with procedural laws governing them. Our students, and the mere possibility that they might expose agency bias or misconduct in the *Reporter*, actually encouraged board members to think about their role as government officials and deterred noncompliance with California's “sunshine laws.”

The *Reporter's* commentaries and feature articles were irreverent, hilarious, at times dead serious and even—in moments of weakness—scholarly; its reports on agency actions constitute a veritable encyclo-

pedia of California's regulation of business, trades, professions, and the environment from 1980 through 1995. The *Reporter* represented vigilance and constancy—it gave agencies the

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And then we went away. In 1996, despite the fact that we are the beneficiaries of a very generous endowment from San Diego philanthropists Helen and Sol Price, we faced fiscal problems and difficult choices. We still taught our academic courses and attempted to expose USD law students to public interest law and practice, but we could no longer afford to send them to agency meetings outside San Diego, and—worst of all—we could not publish the *Reporter*. Our flagship was gone. We missed it. We weren't sure anyone else would, but—to our surprise—we began to receive phone calls from legislators, legislative committee staff, journalists, and even the agencies we used to monitor and critique in the *Reporter*. They missed it!

We spent the next three years reorganizing our budget, rethinking the scope of our resources versus the scope of our coverage, and redoubling our efforts to reinstate the *Reporter* and our longstanding academic program which has now graduated over 700 students. Thanks to USD Vice-President and Provost Frank Lazarus, 1997–98 USD School of Law Interim Dean Grant Morris, new USD School of Law Dean Dan Rodriguez, and USD School of Law Director of Budget and Administration Chuck Waldie, the *Reporter* is back. Its coverage is more selective; it has received a facelift which we hope will enable

you to read it more easily; and we hope its information helps you in your work and life.

In the years we've been publishing this journal, no other law school has attempted to replicate it or our academic program. That should tell us something, but we have no intention of listening. Our experience has taught us the value of a different drummer.

As the September 1998 semester began, seventeen new interns began their work—they studied applicable law and reviewed regulations, proposed legislation, and recent court holdings relevant to their assigned agencies. They are once again appearing at agency meetings from Sacramento to Bakersfield to Los Angeles, tipping off journalists, inquiring about decisions made and not made, and formulating advocacy projects for next year. These agencies are a critical forum for law students to understand, and

for the public to monitor. They determine whether our statutes work or do not work. It is our pleasure to help bring new voices again to the process—voices sounding for interests otherwise absent, and voices we trust (as former students demonstrate, to our delight) will sound after graduation as well. It's great to be back.

*Bob Fellmeth*  
*Julie D'Angelo Fellmeth*

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