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## Preface

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## PREFACE

The opinions issued by the United States Court of Appeals for Ninth Circuit draw their significance not only from the geographical size of the region, but from the diversity within. As the largest and busiest in the nation, the Ninth Circuit encompasses 15 judicial districts<sup>1</sup> and handles approximately 20% of the federal case load.<sup>2</sup> Its diversity is unmatched by any other circuit—of the fifty-four million Americans affected by the decisions of the Ninth Circuit; nearly 40% are racial and ethnic minorities.<sup>3</sup> The underlying states in this region boast a wide variety of industries and distinct state laws; a uniqueness that historically leads to a high presence of Ninth Circuit cases in the Supreme Court docket.<sup>4</sup> The innovative, leading-edge decisions of the Circuit, unparalleled by any other, are reflective of its diversity and size.

The Ninth Circuit Judges are faced with a challenging caseload resulting from the tremendous number of appeals filed annually, which in recent years has exceeded twelve thousand.<sup>5</sup> In his introduction to this issue, Ninth Circuit Judge Richard Clifton provides insight into the intricate workings of the court and identifies helpful resources available to practitioners who are navigating their way through a federal appeal. Knowledgeable practitioners are an integral part in the efficient adjudication of a case before the appeals court.

As the nation's only Law Review edition dedicated solely to work of the Ninth Circuit, the *GGU Law Ninth Circuit Survey* is committed to

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<sup>1</sup> Office of the Circuit Executive, United States Courts for the Ninth Circuit: 2012 Annual Report, 6 (2012), <http://www.ce9.uscourts.gov/publications/AnnualReport2012.pdf>. The Ninth Circuit includes the districts within Alaska, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington, Gaum, and the North Marina Islands. *Id.*

<sup>2</sup> Williams, Carol, *U.S. Supreme Court Again Rejects Most Decisions by the Ninth Circuit Court of Appeals*, LOS ANGELES TIMES, June 18, 2011, <http://articles.latimes.com/2011/jul/18/local/la-me-ninth-circuit-scorecard-20110718>.

<sup>3</sup> *The Crucial Importance of the Ninth Circuit*, CIVILRIGHTS.ORG (Apr. 14, 2003)

<sup>4</sup> Williams, Carol, *U.S. Supreme Court Looks over 9<sup>th</sup> Circuit's Shoulder*, LOS ANGELES TIMES, June 29, 2009, <http://articles.latimes.com/2009/jun/29/local/me-9th-scotus29>.

<sup>5</sup> Office of the Circuit Executive, United States Courts for the Ninth Circuit: 2012 Annual Report, 60 (2012), <http://www.ce9.uscourts.gov/publications/AnnualReport2012.pdf>.

showcasing key decisions of the court across a variety of legal fields; this edition is no exception. The *Ninth Circuit Survey* seeks to add fresh and meaningful discussion to the discourse surrounding recent Ninth Circuit decisions and their implications on future law. The contributing writers and Judge Richard Clifton have done an exceptional job in providing literary pieces to carry out these objectives.

This unique issue would not be possible without the hard work and collaborative efforts of many. Through writing, editing, source-checking and more, every member of the Law Review staff has contributed to the publication of this issue in an indispensable way. On behalf of the Editorial Board, I would like to extend our gratitude to Judge Richard Clifton for graciously contributing his introduction and to Dean Van Cleave and the Law School faculty and staff for their ongoing support and advocacy of scholarly writing. Professor Ed Baskauskas, in particular, has provided years of guidance to the Law Review. Without his expertise, this publication would not be possible. I would personally like to thank the Editorial Board for their tireless efforts and outstanding dedication to the *Ninth Circuit Survey* and the Law Review as a whole.

As Executive Editor, it has been a pleasure working with numerous talented minds to celebrate the meaningful work of the diverse Ninth Circuit. It is my privilege to present this edition of the *Golden Gate University Law Review Ninth Circuit Survey*.

Alyce Foshee  
Executive *Ninth Circuit Survey* Editor