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St. Croix v. Superior Court

Court of Appeal, First District, Division 1, California - July 28, 2014 - Cal.Rptr.3d - 14 Cal. Daily Op. Serv. 8539 - 2014 Daily Journal D.A.R. 9903

City resident brought mandamus action against city ethics commission and its executive director challenging director's refusal to disclose requested documents pertaining to the development of certain city ethics commission regulations under city sunshine ordinance and Public Records Act (PRA). The Superior Court granted resident's petition. Commission and director petitioned for writ of mandate.

The Court of Appeal held that:

- City charter provisions designating city attorney as legal advisor to city's officers and agencies incorporate the statutory attorney-client privilege;
- Sunshine ordinance was inconsistent with attorney-client privilege and thus was invalid to extent that it required disclosure of attorney-client communications between city attorney and ethics commission; and
- Attorney-client privilege as to materials generated in attorney-client relationship created by city charter may not be waived by ordinance.