



LEGISLATIVE INTENT SERVICE, INC.

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Code of Civil Procedure § 2018.030 – Compiled May 2011

Our review of the annotated history reveals the following legislative history (every “c.” below represents a separate legislative bill):

Prior History:

- Former CCP 2016(b)-2nd parag., as amended **1963, c. 1744** to add this original language; *although former § 2016 was further amended, this particular part of the language was not affected.*
- Former CCP § 2018(b) and (c), added **1987, c. 86**; *although former § 2018 was amended a few times thereafter, the language of subdivisions (b) and (c) was not affected.*

Added: 2004, c. 182

Amended: None thus far

Three bills affected this section.

As originally added by the 1963 amendments, the second paragraph of subdivision (b) of former § 2016 read as follows:

The work product of an attorney shall not be discoverable unless the court determines that denial of discovery will unfairly prejudice the party seeking discovery in preparing his claim or defense or will result in an injustice, and any writing that reflects an attorney's impressions, conclusions, opinions, or legal research or theories shall not be discoverable under any circumstances.

As later re-enacted in 1987 as former § 2018(b) and (c), this language read as follows:

(b) Subject to subdivision (c), the work product of an attorney is not discoverable unless the court determines that denial of discovery will unfairly prejudice the party seeking discovery in preparing that party's claim or defense or will result in an injustice.

(c) Any writing that reflects an attorney's impressions, conclusions, opinions, or legal research or theories shall not be discoverable under any circumstances.

Your review of the above annotations will help you determine which bill or bills will be relevant to your research focus within current § 2018.030.

Tracing Statutory Language:

- Research fees can be minimized by ordering only the bills that affected specific subdivisions or phrases of interest to you.

- Changes to statutes can sometimes be determined by the annotations provided by Deering's, Westlaw, and Lexis.
- **If annotations are not available**, one strategy is to look at each chaptered law noted above to observe the changes. **Another strategy** is to retain us to *trace* your language and report our findings back to you.

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