

**CALIFORNIA ADMINISTRATIVE LAW:
A LEGAL RESEARCH GUIDE**

By

Caitlin Hunter^{*}

*Reference Librarian/Foreign and International Law Librarian
Loyola Law School, Los Angeles*

^{*} Updated with permission from HENKE'S CALIFORNIA LAW GUIDE, CHAPTER 8 (8th ed. 2006) by Daniel Henke, *Professor of Law and Law Librarian, UC Hastings College of Law*; Daniel Martin, *Director of the Law Library, Loyola Law School, Los Angeles*; Mike Ibold, *Office of Administrative Law Librarian, 1987-2003*; and Heather Cline Hoganson, *Office of Administrative Hearings Staff Counsel, 1996-2004*.

I. INTRODUCTION	1
II. HISTORY OF CALIFORNIA ADMINISTRATIVE LAW	1
A. The Administrative Procedure Act (APA)	1
B. The Rulemaking Process and Regulatory Publications	2
C. The Office of Administrative Law (OAL)	5
D. The Administrative Adjudicatory Process and the Office of Administrative Hearings (OAH).....	6
E. Exceptions to the Administrative Procedure Act.....	7
III. RESEARCHING CURRENT REGULATIONS	8
A. Basic Structure of the California Code of Regulations (CCR)	8
B. Accessing the California Code of Regulations (CCR)	9
C. Annotations and Citators for the California Code of Regulations (CCR).....	10
IV. RESEARCHING PROPOSED AND HISTORICAL REGULATIONS	14
A. The Rulemaking Process	14
[i] Underground Regulation Determinations.....	14
[ii] California Regulatory Notice Register (Notice Register or Z Register).....	14
[iii] Disapproval Decisions.....	15
[iv] California Code of Regulations Supplement (Register)	16
[v] Emergency Rulemaking and Changes Without Regulatory Effect.....	16
[vi] Unofficial Publications about Rulemaking.....	17
B. Tracking Proposed Regulations.....	18
C. Researching Regulatory History.....	20
[i] Establishing the Regulation's History	20
[ii] Strategies for Finding Historical Regulatory Text and Intent	23
[iii] Locating the Rulemaking File	24
[iv] Retrieving Regulatory History Materials on Bloomberg, Lexis, and Westlaw	24
[v] Retrieving Historical CCRs and Registers in Print and Microfiche	26
[vi] Retrieving the Notice Register.....	27
[vii] Finding Disapproval Decisions and Underground Regulation Determinations	28
[viii] Searching Agency Websites	29
[ix] Searching Law Reviews and Newspapers	29
[x] Finding Historical Copies of the Title 24 Building Code	30
[xi] Hiring a Commercial Regulatory History Service.....	31
V. OTHER ADMINISTRATIVE MATERIALS	31
A. Administrative Decisions	31
[i] Adjudication Process	31
[ii] Penalty Guidelines	32

[iii] Precedential Value of Administrative Decisions.....	33
B. Citing Other Administrative Materials	33
C. General Strategies for Locating Other Administrative Materials.....	33
D. Specific Sources for Locating Other Administrative Materials	34
[i] Bar Associations	34
[ii] Department of Business Oversight	36
[a] Division of Corporations	36
[b] Division of Financial Institutions	36
[iii] Department of Industrial Relations.....	36
[a] Division of Labor Standards Enforcement	36
[b] Prevailing Wage Determinations	37
[c] Workers' Compensation Appeals Board	37
[iv] Department of Insurance.....	38
[v] Department of Managed Health Care	39
[vi] Education Agencies	39
[vii] Fair Employment and Housing Commission.....	40
[viii] Fair Political Practices Commission.....	41
[ix] Governors' Materials	41
[x] Public Employment Relations Board.....	42
[xi] Public Utilities Commission	43
[xii] Real Estate Agencies	44
[xiii] Reports to the Secretary of State	44
[xiv] Tax Agencies	44
[a] Board of Equalization.....	45
[b] Franchise Tax Board	45
[c] Office of Tax Appeals	46
[d] California Tax Reporter	46
[xv] Water Boards	46
[xvi] Other Professional Disciplinary Decisions	47
[xvii] Other Administrative Decisions and Guidance	47
VI. BIBLIOGRAPHY FOR ADMINISTRATIVE LAW RESEARCH	50
A. Introductions to California Administrative Law Research.....	50
B. Advanced Guides to California Administrative Law Research.....	50
C. Guides to California Administrative Law and Procedure	50
D. Directories of Agencies	50
E. History of Administrative Law	51