

Amicus Brief Outlines Dangers of California's Internet Age-Estimation Requirement

Publications

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Following our amicus brief critiquing the California Age-Appropriate Design Code Act (CAADCA) at the trial level, an appellate team continues its fight against the law at the Ninth Circuit.

Among other measures, CAADCA requires businesses to estimate the ages of online child users and configure privacy settings for them. NetChoice, a trade group whose members include Amazon, Google, Meta, and TikTok, sued to stop the law. Last September, a federal judge repeatedly cited our amicus brief when she blocked California from enforcing CAADCA, which is set to go into effect this July. California appealed.

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In *NetChoice v. Bonta*, we have once again written an amicus brief on behalf of esteemed internet law scholar Eric Goldman, professor at Santa Clara University School of Law. The brief urges the Ninth Circuit to affirm the district court's findings that the age-estimation requirement "erects onerous barriers that would endanger rather than protect children's privacy, discourage Internet usage, and chill protected speech."

Our brief explains and reinforces the lower court's conclusion that CAADCA creates barriers for both minors and adults seeking access to the internet "and how those barriers impermissibly block users from engaging in activities that are protected by the First Amendment."

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