



THE CALIFORNIA SUPREME COURT

# Historical Society

NEWSLETTER • FALL/WINTER 2008

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## PROMOTING CALIFORNIA LEGAL HISTORY

*This theme issue highlights the projects and programs funded by the Society in its mission of preserving, researching, and promoting the legal history of California.*

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# Oral Histories Explore Supreme Court in Changing Times

LAURA MCCREERY

PROJECT DIRECTOR, INSTITUTE OF GOVERNMENTAL STUDIES, UC BERKELEY

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Legal historians often characterize the California Supreme Court as a leader among state courts in the development of American jurisprudence. As is perhaps inevitable in such a geographically large and heavily populated state, California's highest court confronts an unmatched number and range of legal matters. Whether one takes the view that the California Supreme Court has, over the course of its history, actively shaped or merely responded to the issues of the day, the matter of leadership—by individuals and by the court as an institution—is one of great historical interest.

Some eras in the California Supreme Court's history were notable for stability of both the leadership and the membership. But unlike the "Long Court" of 1945 to 1956—so dubbed by longtime research attorney Don Barrett because the court's composition did not change during that time—more recent periods were decidedly different. In only six years, from 1977 to 1982, Governor Jerry Brown made seven appointments to the Court, which operated under the leadership of Chief Justice Rose Bird.

As is well known, California voters in November 1986 unseated Chief Justice Bird and two of Governor Brown's other appointees, Justices Cruz Reynoso and Joseph Grodin—largely over the death penalty—setting in motion the greatest turnover of membership in the Court's history. The succeeding governor, George Deukmejian, made eight appointments to the California Supreme Court between 1984 and 1991 (including three seats he filled twice). Early in 1987, he elevated his first appointee to succeed Chief Justice Bird. Although Chief Justice Malcolm Lucas provided continuity of leadership until his retirement in 1996—terming the 1986 election a "hundred-year storm" unlikely to be repeated—the California Supreme Court during this period was, if anything, a "Short Court." Changes to the membership were the rule rather than the exception.

This backdrop of frequent change amid legal complexity provided the inspiration for the *California Supreme Court Oral History Project*, launched three years ago to conduct in-depth oral histories with retired members of the California Supreme Court during this unusual period. Justices Reynoso and Grodin had already recorded oral histories, so the project centered on justices appointed to the Court by Governor Deukmejian.

The plan took shape with scholarly guidance from Professor Harry N. Scheiber, director of the Institute

for Legal Research at Berkeley Law School (and editor and co-author of the forthcoming Society-sponsored book on the history of the California Supreme Court). The goal was to interview four eligible retirees (Justices John Arguelles, Armand Arabian, and Edward Panelli and Chief Justice Malcolm Lucas) and place their completed oral histories in the permanent research archive of the Bancroft Library, the primary special-collections library at UC Berkeley, for the use of scholars, students, and the bench and bar in perpetuity.

Administered by the Institute of Governmental Studies, Berkeley's premier research center on politics and government, the project builds upon a tradition of conducting archival oral histories on the California Supreme Court. Although interviews have been carried out by others over many years—the earliest was a 1959 interview with Justice Jesse Washington Carter—this project was the first to interview several former justices who were appointed by the same governor and who served overlapping terms. The project design reasoned that, while any single oral history would provide a rich resource, a series of coordinated interviews might yield still more historical depth. Each justice would, however, document his own career, including judicial philosophy, goals, motivations, and decisions, independently of the others.

All four eligible justices agreed to participate. Interviews commenced in 2005, and by late spring of 2008, the interview phase was complete, yielding sixty-two recorded hours of high-quality digital audio. The oral histories were professionally transcribed, and four justices have reviewed their draft transcripts.

As a separate and critical archival matter, the director of the Institute of Governmental Studies Library, Nick Robinson, negotiated deposit of the digital audio recordings, at no cost to the project, into the state-of-the-art Digital Preservation Repository maintained by the University of California libraries. This arrangement assures permanent, safe storage of the original sound files. The IGS Library also is designing a project Web page, which may be available as soon as the spring of 2009. Meanwhile, editorial work on the oral history manuscripts continues and will culminate with deposit of the series into the Bancroft Library for research use. (Some material will remain sealed for a period of time before being opened for use.)

The oral history method differs from other types of interviews in several ways. First, the careers of judges

and many other public servants are documented already with a substantial written record. Oral history interviews aim to supplement and enrich that record by fleshing out details known only to those who witnessed or participated in historical events.

Second, oral history often produces relatively lengthy sets of interviews recorded over a span of time, a process that allows the narrator (interviewee) to answer questions in some depth, if desired, and to make thematic associations brought to life by anecdotes. As a general matter, politicians and other public figures accustomed to press interviews may at first offer familiar responses to issues they have addressed many times; the oral historian welcomes those responses and then tries to go beyond them into new areas of reflection and discussion. With multiple interview sessions, both interviewer and narrator can think about and possibly return to key themes, such as leadership or collegiality on the California Supreme Court.

After extensive preliminary research and planning, the oral history interviewer attempts to broach topics essential to the historical record while allowing the narrator to shape the emphasis and expand the discussion as memory and interest dictate. Because the aim is collaborative in the service of history, topics are approached through open-ended questions that are, it is hoped, relatively free of bias and of implied expectation of particular answers. While outlines and even specific questions may be prepared ahead of time, the discussions themselves often go in unplanned directions, requiring both parties to seize the moment. In the end, the oral history interview is simply a conversation, a spoken account that attempts to fill the lacunae of history using the imperfect tools of memory and opinion.

While it is premature to reveal the contents of the *California Supreme Court Oral History Project*, in general the interviews explored key events, such as changes wrought by the 1986 election, and also such themes as capital punishment, victims' rights, challenges to ballot measures, sentencing guidelines, alternative dispute resolution, and state constitutionalism. Each interviewee talked in detail about his own background, education, early career in the law (with an emphasis on judicial experience), and development of personal views, philosophy, and judicial methods. The conversations also explored each interviewee's interest in and views of California's political setting leading up to the time of his Supreme Court appointment and his relationship with the appointing governor before, during, and after his own Court service.

In keeping with the key research theme of leadership in changing times, each justice was asked to comment upon Court leadership prior to and during the service period and to recall details and events that might illuminate the working relationships among the justices.

Although the four interviewees varied in their exposure to and interest in leadership roles, details emerged about their own philosophies and skills, both administrative and judicial. All four had been trial judges, for example, and each touched upon the value of bringing trial experience to the appellate bench.

Each justice was invited also to talk about key legal themes, cases, and issues in California during his Court service, views of California's executive and legislative branches vis-à-vis the judiciary, leadership and decisions of the U.S. Supreme Court, the evolution of U.S. and California constitutional law (with comparisons to other states, where applicable), and recent developments at the California Supreme Court.

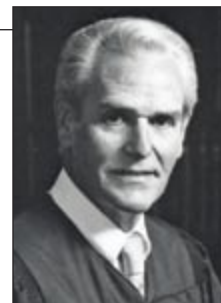
The legal and scholarly communities owe a debt of gratitude to Chief Justice Lucas and to Justices Panelli, Arguelles, and Arabian. Long ago, each of them was asked by Governor Deukmejian to give his utmost as a California Supreme Court jurist on the shifting ground of a "Short Court" environment. Years later, through the *California Supreme Court Oral History Project*, each generously and graciously recorded both a personal story and a professional view of leadership and key events in the Court's history. As the project winds down, the justices will gather next spring at the California Supreme Court chambers in Los Angeles to receive their completed oral histories.

Meanwhile, scholars continue to view the California Supreme Court as a leader in American jurisprudence, both through its opinions and through administrative innovation. (California led the nation, for example, in Dear and Jessen's study of "followed" opinions by supreme courts in all fifty states [41 *UC Davis Law Review*, 683, 2007].) Historians can only hope that—short or long be their tenure or their courts—current and future California Supreme Court justices will in time produce more fine oral histories for the benefit of all.

Although the oral histories are not yet publicly available, four justices interviewed for the *California Supreme Court Oral History Project* kindly agreed to publication of a biographical summary and a short quote from the early-career portion of their interviews:

**CHIEF JUSTICE  
MALCOLM LUCAS**  
(26 HOURS OF INTERVIEWS  
TAPED IN 2007-2008)

Chief Justice Malcolm Lucas was born in Berkeley in 1927 and raised primarily in Long Beach, where he attended public elementary and high schools. He and his brothers also lived for two years at their mother's family



home in Montrose, Scotland. He served in the U.S. Navy at the end of World War II before taking both his bachelor's and law degrees at the University of Southern California. In 1954 he entered private civil law practice with his brother, the late Campbell Lucas, who became a trial judge and a justice of the California Court of Appeal. In 1962, George Deukmejian joined their law practice while serving in the state legislature.

In 1967, Governor Ronald Reagan named Malcolm Lucas a judge of the superior court of Los Angeles County. In 1971, President Richard Nixon appointed him to a newly created seat as a U.S. district judge for the Central District of California, where he served until 1984, also sitting pro tem on the Ninth Circuit Court of Appeals. Upon becoming governor of California, George Deukmejian in 1984 selected Judge Lucas as his first appointment to the California Supreme Court, elevating him to chief justice in 1987. In 1996, after more than nine years leading the California Supreme Court, Chief Justice Lucas retired and returned to private law practice and alternative dispute resolution.

In his oral history, Chief Justice Lucas recalled his first judgeship in the Los Angeles Superior Court in 1967, where he was assigned to Judge Emil Gumpert under the court's mentor system:

"I went to see him in his chambers.... Among other things I said, 'Emil, what's your best piece of advice you can give me in terms of being a judge and doing a good job?' [In his courtroom Judge Gumpert had] a desk blotter. He said, 'On the left-hand upper corner there's the letter K, and on the right-hand upper corner there's the letter Y, and on the lower-left-hand corner there's the letter M, and on the right-hand lower corner there's a letter S. K-Y-M-S: I said, 'I see, Emil. What does that mean?' He said, 'It's the most important thing I can tell you that you have to learn as a judge. K-Y-M-S means Keep Your Mouth Shut. Don't interrupt witnesses because you know you can cross examine better. Don't interfere with things. When you're asked to rule on something, of course you do. But once you start thinking that you know more about this than the lawyers, the truth is you'll never know as much as the lawyers do. They've been working on this case for months...and the more you intrude into it, the more opportunity there is to create error.... Always remember K-Y-M-S: I have, and it's stood me in good stead."

## JUSTICE EDWARD PANELLI

(14 HOURS OF INTERVIEWS TAPED IN 2005-2006)

Justice Edward Panelli was born in Santa Clara in 1931. Before his first birthday he moved with his parents to their native Italy for



two years, but for the most part he grew up amid California's agriculture industry, where he too worked from the age of six. He was educated in public schools before completing both his bachelor's and law degrees at Santa Clara University. He rose to the rank of first lieutenant with the U.S. Army Reserve (1950-1962). As a founding partner of the private law firm Pasquinelli & Panelli in San Jose (1955-1972), he specialized in probate, personal injury, domestic relations, and general business practice. He served also as general counsel of Santa Clara University from 1963 to 1972.

Governor Ronald Reagan named him to the superior court bench for Santa Clara County, where he served from 1972 to 1983. Governor George Deukmejian elevated him to associate justice of the California Court of Appeal; there he served briefly in the First Appellate District (1983-1984) before becoming presiding justice of the newly formed Sixth Appellate District (1984-1985). Governor Deukmejian elevated him to associate justice of the California Supreme Court, where he sat from 1985 to his retirement in 1994. He continues today as a private judge and mediator.

In his oral history, Justice Panelli recalled the process for making judicial assignments at the Santa Clara Superior Court at the end of 1972, and he described how his own assignment altered his views of the juvenile justice system:

"They sent around a yellow pad, and it showed, let's say, twelve civil departments, twelve criminal departments, three criminal-legal departments. Then they had domestic-relations departments and juvenile. When it came to me the only thing left was the presiding judge of the juvenile court, and so that was my assignment. The good part of it was that I was the P.J. of the juvenile department, so I had a very nice chamber set-up. The problem was that it was probably the most difficult assignment that I ever had, because I went out there with the expectation that I was going to save all these kids. After six months I thought maybe I'd save half of them. At the end of the first year I said, gee, maybe one. So it was very, very difficult.

"...We had a program called the Foundry School, and that's where kids who would not go to school were sent. It was beyond a continuation school...I went out and visited this Foundry School, and I said, 'What's going on here?' The girls are putting on fingernail polish and combing their hair, and the boys are sitting there talking or reading a magazine. I said, 'What kind of a school is this? This is ridiculous.' Then the instructors got me aside and they said, 'Judge, do you realize that for some of these people to come to the same place for two days in a row is a major accomplishment? The fact that they're coming here and they're learning how to groom themselves might not seem important, but they come back every day. That is the first step for them to

get back to school.' I said, 'You've got a very, very good point about that.'"

**JUSTICE JOHN ARGUELLES**  
(12 HOURS OF INTERVIEWS TAPED IN 2006)



Born in Los Angeles in 1927, Justice John Arguelles was educated in public schools and served in the U.S. Navy at the end of World War II before completing his bachelor's and law degrees at UCLA. His father came from a European ranching family in Toluca, Mexico, and was educated at Columbia University in New York. His mother, a graduate of Oklahoma College for Women, was raised in territorial Oklahoma before statehood; her lawyer father later became a county judge. After law school, Justice Arguelles entered private law practice with a cousin (1954-1958) and with Munnell Mullendore Peetris & Arguelles (1958-1963). He was a registered legislative advocate in Sacramento and also served on the Montebello City Council in the early 1960s.

In December 1963, Governor Pat Brown appointed him a judge of the municipal court of Los Angeles County. In 1969 Governor Ronald Reagan elevated him to the superior court, where he served until 1984. Governor George Deukmejian appointed him associate justice of the California Court of Appeal, Second Appellate District (1984-1987) and later—in the aftermath of the 1986 election—associate justice of the California Supreme Court (1987-1989). After retiring from the bench, Justice Arguelles returned to private law practice with Gibson Dunn & Crutcher in Irvine, California.

In his oral history, Justice Arguelles recalled trying a superior court case in 1963 when the trial was interrupted by a phone call, and the judge ordered a recess:

"The judge then followed up by saying, 'Mr. Arguelles, this call is for you. It's from the governor's office, and you may take the call in my chambers.... It was Governor [Pat] Brown personally on the phone. Here's the governor of California, with a multitude of important things to do statewide, and he is taking his time to personally call me. I listened carefully to his words. He impressed upon me that as a lawyer himself...he had a special interest in the California judiciary. Now that he was governor, he felt that appointing judges was one of his most important duties, and he put a great deal of thought into the selection process.... He asked me to give up my law practice to serve as a municipal court judge.... We must have talked for fifteen, maybe twenty minutes. I accepted the appointment.

"...They made the announcement from Sacramento one late November afternoon. I came into my office early the next morning...the news of my appointment having made the papers that morning...I sat back to enjoy what I thought would be one of the most pleasant days that I'd ever spent, just taking congratulatory calls. But in mid-morning the phone stopped ringing, and it never rang again. President Kennedy had just been assassinated in Dallas."

**JUSTICE ARMAND ARABIAN**  
(10 HOURS OF INTERVIEWS TAPED IN 2007)



Justice Armand Arabian was born in 1934 in New York City, the first of five children of immigrant Armenian parents. His father, a master tailor trained in Paris, moved the family business from the garment district on the Lower East Side of Manhattan to Long Island, where Justice Arabian and his siblings grew up. He studied business administration at Boston University and then completed law school there. In between, he served two years in the U.S. Army, attaining the rank of first lieutenant and graduating from Airborne, Jumpmaster, and Pathfinder schools. Upon visiting relatives in Southern California after law school, he moved west and in 1962 became a deputy district attorney for Los Angeles County for one year. He then went into solo private practice in Los Angeles (1963-1972), emphasizing family law, criminal defense, and personal injury cases while also attending the University of Southern California to earn the LL.M. degree.

He was appointed a judge of the municipal court (1972-1973) and superior court (1973-1983) of Los Angeles County by Governor Ronald Reagan. Governor George Deukmejian named him associate justice of the California Court of Appeal, Second Appellate District (1983-1990) and also elevated him in 1990 to associate justice of the California Supreme Court. Since retiring in 1996, Justice Arabian continues in private practice and alternative dispute resolution in Van Nuys, California.

In his oral history, Justice Arabian told of pursuing a job in the district attorney's office for Los Angeles County in 1962:

"You interviewed for the public defender, the D.A., and the county counsel at the same time. There was a representative of every one of those in a room, and then you would come in. I had no interest in the county counsel's office. The public defender I could have done in a New York second. But I wanted that shiny badge of being a D.A. out there. Ted Sten, who was the head of the

Long Beach office, was a cutthroat kind of a character. This guy was tough. Don't mess with Ted Sten. He ran Long Beach with an iron hand. Well, my luck, he's in the room that day, so he starts in on me. I guess he saw the spark. He says, 'Mr. Arabian, between prosecuting and defending, does one side of the badge seem shinier than the other?' [Laughter] ...In effect, I told him I liked that one side a little better."

#### ACKNOWLEDGMENTS

The *California Supreme Court Oral History Project* was made possible by generous institutional support, notably from the CALIFORNIA SUPREME COURT HISTORICAL SOCIETY. The project could not have succeeded without the research gifts awarded by the Society's board of directors or without individual bar members who contributed to the Society to make such gifts possible.

Justice Panelli's oral history was also substantially supported by his alma mater, SANTA CLARA UNIVER-

SITY LAW SCHOOL. The project gratefully acknowledges Dean Donald Polden and Associate Dean Mary Emery of Santa Clara.

At the CALIFORNIA SUPREME COURT, the project received immeasurable assistance from Jake Dear, Chief Supervising Attorney (and head of Chief Justice Ronald M. George's legal staff), and Beth J. Jay, Principal Attorney to the Chief Justice, as well as crucial personal support from the chief justice himself and from Justice Kathryn Mickle Werdegar.

At UC Berkeley, Professor Harry Scheiber of the INSTITUTE FOR LEGAL RESEARCH provided essential scholarly oversight and contributed substantially to every phase of the research. The project's administrative home, INSTITUTE OF GOVERNMENTAL STUDIES, provided space and invaluable resources. The project is indebted to IGS Director Jack Citrin, former IGS Director Bruce Cain, and the staffs of the IGS library and business office. ☆



NEWS OF THE  
*California Legal History*  
JOURNAL



**2008 JOURNAL:** As a benefit of membership, the current issue of *California Legal History* has been sent to all members of the Society. It is also available to the public in seventy-two libraries throughout the state. Journal contents include:

- ◆ Oral History: Joseph R. Grodin, Professor of Law and Supreme Court Justice, Conducted by Leah McGarrigle
- ◆ Preventive Tax Policy: Chief Justice Roger J. Traynor's Tax Philosophy, by Mirit Eyal-Cohen
- ◆ "Shall Law Stand for Naught?": The Los Angeles Chinese Massacre of 1871 at Trial, by Paul R. Spitzerri
- ◆ *The Development of Los Angeles City Government: An Institutional History*, edited by Hynda L. Rudd, et al., Reviewed by Volker Janssen
- ◆ *The Enigma Woman: The Death Sentence of Nellie May Madison*, by Kathleen A. Cairns, Reviewed by Richard McFarlane

**2009 JOURNAL:** The Society is pleased to announce that the following scholars have agreed to serve on the editorial board of the Journal:

**HARRY N. SCHEIBER**  
University of California, Berkeley  
Founding Editor (1994-2006)

#### EDITORIAL BOARD:

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**SUBMISSIONS:** We welcome articles and book reviews on all aspects of California legal history. This is a peer-reviewed publication. Submissions will be reviewed promptly. Please send editorial correspondence to:

SELMA MOIDEL SMITH, ESQ., Editor-in-Chief, at [smsth@aol.com](mailto:smsth@aol.com).

## Supreme Court Hosts World Visitors

FREDERICK K. OHLRICH

COURT ADMINISTRATOR AND CLERK OF THE SUPREME COURT

Members of the Icelandic Bar Association, students from Mills College, Norwegian Supreme Court justices, high school students from Sacramento, Teen Court participants from Lassen County, the Chief Justice of Nepal, judicial delegations from Pakistan, France, and China, and high school civics teachers from throughout California are but a few groups that have toured the California Supreme Court in recent months, thanks in large measure to a grant from the California Supreme Court Historical Society.

Recognizing the need to provide groups and interested individuals with greater access to and more information about the California Supreme Court and its beautifully restored San Francisco headquar-

ters, the court applied to the Society for a grant to fund the reproduction of printed materials and the court's introductory video, "Inside the Supreme Court" for wide distribution to students, teachers, judges and court personnel, and others who visited the court or participated in its outreach efforts.

The California Supreme Court Historical Society's grant was a key ingredient in expanding the Supreme Court's tour program and outreach efforts at a time when budget resources were scarce and the court's ability to offer visitors printed materials about the court was very limited. Now, several times a month, groups and individuals learn about the operation and history of the Supreme Court and California's judicial system.

Whenever possible, the Supreme Court tour begins in the boardroom of the Judicial Council, which is located in the Hiram Johnson Building adjacent to the Supreme Court in the State's Civic Center Complex. There, visitors are introduced to California's three-tier court structure, the governance role of the Judicial Council, and the support mission of the Administrative Office of the Courts. The presentation then focuses on the Supreme Court, with the viewing of the video "Inside the Supreme Court" (the video is available on the court's Web site at: <http://www.courtinfo.ca.gov/courts/supreme/educational.htm>).



*The Supreme Court's San Francisco courtroom in the historic Earl Warren Building with the Court in session during Oral Argument.*

PHOTO: WILLIAM A. PORTER

After an opportunity for questions and answers, the tour moves across the Great Hall, in the center of the complex, to the fourth floor courtroom in the Earl Warren Building. There, visitors are offered a more detailed explanation of how a case reaches the California Supreme Court, and how the court operates with its weekly conferences, the granting of review, oral argument, the assignment, preparation and circulation of proposed opinions, and finally, the process of filing the court's decisions. Information is also provided about the justices, their nomination and confirmation process, their terms of office and judicial confirmation elections, along with the history of the court's headquarters in San Francisco, and the oral argument sessions in Los Angeles and Sacramento. The court's recent practice of convening for oral argument at various locations throughout the state to provide educational outreach and the opportunity for high school students to attend oral argument is also discussed.

Now, at the conclusion of each tour, and at the court's oral argument sessions, visitors are routinely provided with printed materials about the history and operation of the California Supreme Court—thanks in large measure to the impetus provided by the California Supreme Court Historical Society's grant.

To schedule a tour, call (415) 865-7597.



# The Stanley Mosk Papers

FRANCES M. JONES\*

DIRECTOR, CALIFORNIA JUDICIAL CENTER LIBRARY

Justice Stanley Mosk served California for more than half of the twentieth century. A giant in the law, he was recognized internationally for his defense of individual liberties and for the development of novel, significant and lasting legal theories. In more than 600 opinions, including many landmark rulings, he left his imprint upon California law and influenced the development of federal and state law. Special Collections & Archives at the California Judicial Center Library is honored to be the repository of The Stanley Mosk Papers, a generous gift of the Hon. Richard M. Mosk.



Justice Stanley Mosk

The generosity and support of the California Supreme Court Historical Society made it possible to secure, arrange, describe and provide an inventory for Justice Stanley Mosk's extensive collection. Grants provided by the Society in 2003 and 2004 enabled the Library to engage the services of noted archivist, Professor Andrea M. Hinding.<sup>1</sup> Professor Hinding's continuing engagement with the Library dates from 2001. In addition to the arrangement and extensive description of the Stanley Mosk Papers recorded here, she provided essential direction and training to library staff to assure continuing archival services and functions. Preservation of and accessibility to this outstanding collection would have been impossible without her leadership and scholarship. The formation of The Stanley Mosk Papers as a significant manuscript collection and the description provided here owe much to the Society and to Professor Hinding.

Justice Mosk's papers record and describe his life and work. A memorable man, he was also a man of memories. Because he cared for the words and objects that marked his life's passages they remain with us today, to inform and enhance our appreciation of this great man and the time in which he lived. In The Stanley Mosk Papers, the remarkable collection of papers that documents his personal and professional lives, he left a lasting legacy for students of

\*JD, MA; Member, Academy of Certified Archivists. Ms. Jones expresses her deep appreciation to Professor Andrea M. Hinding and to Martha Noble for their significant contributions to this article. She also acknowledges with gratitude the dedicated work of Ms. Noble, Pamela Williams and Patrick Worrell in support of The Stanley Mosk Papers.

<sup>1</sup> Professor Emeritus of History, University of Minnesota, Society of American Archivists, Fellow, 1977-; President, 1984-85.

American law, history, government and politics.

## BIOGRAPHY

Born in San Antonio, Texas, in 1912, Stanley Mosk received his primary and secondary education in the public schools of Rockford, Illinois. His involvement in community service developed early. A fledgling journalist, he co-edited his high school newspaper and represented Rockford in the annual Illinois High School Press Conference. He was a member of the school's championship debate team.

An athlete as well as a scholar, he played baseball during his high school years and covered the football and basketball seasons for the school paper.

Mosk received a bachelor of philosophy degree from the University of Chicago, Division of the Social Sciences, in June 1933. He continued his education at Southwestern University School of Law and was admitted to the practice of law in California in 1935.

He married Edna Mitchell on September 27, 1936. Their son, Richard, was born on May 18, 1939. Edna Mosk conducted a small manufacturing business, and was later a realtor in Beverly Hills as well as an artist. She played an active role in the management of her husband's campaigns for attorney general in 1958 and 1962, and remained a lifelong Democrat, active in the party, until her death in 1981.

Mosk's life of public service began with his appointment to the staff of Governor Culbert L. Olson in 1939. He served in the cabinet as legal advisor and later as executive secretary. In 1943 he was appointed to the Superior Court in Los Angeles. He resigned his judgeship to serve in the U.S. Army during World War II. At the conclusion of his military service, he returned to the bench, remaining until his successful campaign for Attorney General. He won the 1958 election for that office by a margin of more than one million votes, the largest in any contest in the United States that year.

In his nearly six years as Attorney General, Mosk issued more than 1,500 written opinions in matters ranging from water rights to voting rights. He is remembered for his strong stand in favor of permitting an African-American golfer, Charlie Sifford, to participate in a PGA tournament, condemning the sport's then-prevalent racial restrictions.



Among his many constructive proposals in the field of law enforcement was the establishment of the Commission on Peace Officers' Standards and Training.

Justice Mosk was appointed to the California Supreme Court in September 1964 and served until his death in June 2001. He was at all times an esteemed colleague, a legal scholar of the highest order, and a seeker of just and workable solutions. He is the author of more than 1,400 opinions in matters as varied as the use of racial quotas as a basis for admission to medical school (the Bakke decision); the ability of disabled parents to retain custody of their children; the requirement that physicians disclose treatment options and risks to their patients (doctrine of informed consent); and the holding that journalists cannot be jailed for contempt of court for refusing to give prosecutors unpublished material.

At his death on June 19, 2008, Justice Mosk was survived by his widow, Mrs. Kaygee Kash Mosk, and his son, Richard.

Justice Mosk served California for more than 60 years. His participation in public policy development and judicial decision making is unparalleled in the history of the state. His life and work remain models of service and excellence, and his memory will be honored for many years to come.

### *The Stanley Mosk Papers*

#### SCOPE AND CONTENTS

The Stanley Mosk Papers consist of 160 cubic feet of records in 3,150 folders; 54 scrapbooks and albums; 3,580 photographs; approximately 40 audio-visual items; and approximately 250 objects, which range from plaques and paperweights to political memorabilia and original art. Approximately 250 books from Justice Mosk's home and chambers are housed with the Papers.

The collection spans the years 1912 to 2006, the date of the last publication by or about Justice Mosk. The bulk of the materials in the collection date from the 1930s to 2001.

#### PROVENANCE

With minor exceptions, the Papers are the gift of Justice Mosk's son, Hon. Richard M. Mosk, Associate Justice, California Court of Appeal, Second Appellate District (Los Angeles). The majority of the papers were transferred to Special Collections & Archives from Justice Stanley Mosk's chambers and home in San Francisco, with additions from the home of Justice Richard Mosk. Justice Stanley Mosk gave a group of letters of congratulation upon his appointment to the California Supreme Court and approximately 20 volumes of *Who's Who in America* to the California Judicial Center Library in 2000. With few exceptions for items of significant market value for which digital reproductions have been made, all of the items received remain in Special Collections & Archives.

#### ARRANGEMENT AND INVENTORY

The Stanley Mosk Papers are arranged in eight series: Personal and Family Papers, Professional Papers, Political Campaigns, Publications by and about Stanley Mosk; Speeches; Photographs; Objects and Audio-Visual Materials. With the exception of Objects, all series are fully processed and inventoried. The Web site of the California Judicial Center Library provides a comprehensive inventory in the California Supreme Court and Courts of Appeal Database, a fully searchable database accessible at: <http://library.courtinfo.ca.gov>.



BAR EXAM STUDY MATERIALS AND  
CERTIFICATE OF ADMISSION.

*Success on the bar exam followed diligent study. Justice Mosk's outline and notes are shown in the foreground of this photo. He was admitted to the practice of law in California on October 29, 1935.*

### *The Eight Series*

#### PERSONAL AND FAMILY PAPERS {443 FOLDERS}

The 443 folders in this series are arranged in nine subseries: biography, education and military service; calendars, day-books and diaries; the Mosk family; obituaries, memorials and dedications; politics and elections; scrapbooks and albums; subject files; tributes; and writings. Notable in the series are the very early records of Mosk's life, including his birth certificate and records of his accomplishments as a young student. Edna Mosk's early life is represented by her high school yearbooks. Mosk family genealogies and papers of other family members are also collected in this series.

Justice Mosk's early engagement in civic and political life is well-documented in scrapbooks and albums, and in folders of textual materials. He was a prolific writer, extensively published, and his writings are represented in this series (with copies of published articles found in the Publications series).

#### PROFESSIONAL PAPERS {1,443 FOLDERS}

The 1,443 folders in this series are arranged in six subseries: Executive Secretary to Governor Culbert Olson; Los Angeles Superior Court; California Attorney



**JUSTICE MOSK'S CHAMBERS FURNISHINGS**

*Furnishings, including his desk and sofa, were transferred to Special Collections & Archives from Justice Mosk's chambers. Partially visible in the foreground is his typewriter stand.*

General; California Supreme Court; Commission on Judicial Performance; and the Richard Mosk papers.

**EXECUTIVE SECRETARY TO GOVERNOR CULBERT OLSON**

Justice Mosk began his professional life of public service with his appointment, in 1939, to the staff of Governor Culbert Olson. He served there until his appointment to the Superior Court in Los Angeles County in 1943. Notable among the 22 folders in this subseries are those regarding acts of executive clemency and pardons occurring during the period.

**SUPERIOR COURT IN LOS ANGELES COUNTY**

Folders in this subseries are arranged in two groups: correspondence and papers, and subject files. Two hundred sixty-two folders, arranged in chronological order, record Judge Mosk's extensive correspondence. Thirty-eight folders of subject files document his interest in jury instructions, other judicial appointments and specific cases, including celebrity divorces. His tenure on the Superior Court was marked by significant decisions, including his 1947 ruling in *Wright v. Dye*, invalidating a restrictive covenant based upon race.

**CALIFORNIA ATTORNEY GENERAL**

The 320 folders in the subseries, California Attorney General, are arranged in two groups: Opinions and Subject Files. The 53 folders in the Opinions group are arranged alphabetically, preserving the arrangement found in the notebooks kept by Attorney General Mosk. An extensive group of subject files (267 folders) includes such general topics as commendations and criticism of his office, together with a broad range of specific topics, including: appellate procedures, the John Birch Society, correspondence with the Governor's Office, and President John F. Kennedy.

**CALIFORNIA SUPREME COURT**

This series, comprising 493 folders, is arranged in two

groups, Correspondence and Subject Files. Correspondence is further subdivided into Letters of Congratulation Upon Appointment; Correspondence Regarding Opinions; and Chronological correspondence files. This arrangement preserves the order in which papers in this series were received.

Letters of Congratulation are arranged alphabetically by correspondent. Correspondence Regarding Opinions is arranged chronologically, covering the period 1964 through 1972. There are 169 folders of general correspondence arranged chronologically, from August 1964 to June 2001.

Subject files in this subseries document the wide range of topics of interest to Justice Mosk during his 37 years on the Court and include, for example, the Bakke decision; Chief Justice Rose E. Bird; state constitutionalism; international human rights; and the San Francisco International Film Festival.

**COMMISSION ON JUDICIAL PERFORMANCE**

Sixty-two folders contain records of Justice Mosk's interactions with the Commission on Judicial Performance. The lawsuit, *Stanley Mosk v. Commission on Judicial Performance*, in which Justice Mosk brought suit to maintain the constitutionally-required confidentiality of Commission proceedings, is well documented in 58 folders. The four remaining folders contain correspondence dating between 1981 and 1983.

**RICHARD M. MOSK PAPERS**

This subseries, comprising 47 folders, documents some of the work performed by Richard M. Mosk as attorney for his father. Folders relating to political campaigns, in particular the judicial retention election of 1986, are found in this subseries.

**POLITICAL CAMPAIGNS {487 FOLDERS}**

Three subseries document Justice Mosk's political campaigns for election to the Los Angeles Superior Court, the office of California Attorney General, and the California Supreme Court. The largest segment covers Justice Mosk's highly successful campaigns for the office of Attorney General in 1958 and 1962, with coverage of the 1958 campaign subdivided into folders from the Northern and Southern California campaign offices. Four hundred seventy-two folders document his campaigns. Notable inclusions are folders relating to the active participation of Edna (Mrs. Stanley) Mosk in the campaigns, and folders of campaign ephemera.

**PUBLICATIONS {345 FOLDERS}**

This series comprises publications by and publications about Stanley Mosk. Justice Mosk is the author of 225 of the publications, and 120 publications were written about him. The earliest publication by Justice Mosk is dated 1930 and the latest, a 2006 article entitled *State Constitutionalism: Both Liberal and Conservative*, was

published posthumously. Eighty additional authors are represented in the series. Inventory entries for this series supply publication information including date, article title, publication in which the article appeared, co-authors if any, and pagination.

#### **SPEECHES {769 FOLDERS}**

Justice Mosk was welcomed frequently as a speaker at continuing legal education seminars and other gatherings of the bench and bar. An active participant in civic and political organizations, he was also often called upon to provide keynote or panel presentations. The earliest speech in this series was delivered at an anniversary dinner of the American Civil Liberties Union on November 8, 1948. The latest speech was an address delivered to the Stanislaus County Bar Association in Modesto, California on May 4, 2001, just a few weeks before his death. Between these first and last speeches Justice Mosk delivered 767 additional speeches. He retained paper copies of his speeches, together with related materials, for more than half a century. Inventory entries for folders in this series provide the date, title, sponsor, event, and location associated with each speech where this data was available.

#### **PHOTOGRAPHS**

More than 3,500 photographs in this series are housed in albums, boxes, folders and a map case. The earliest photograph dates from 1913, the latest from the 1990s. Photographs illustrate and relate to Justice Mosk's personal and professional life; he appears in the majority of

them. Where the data is available, the inventory of photographs supplies names, dates and other data regarding individual photos or groups of photos.

#### **OBJECTS**

Furnishings from Justice Mosk's chambers have been placed in Special Collections & Archives. Twenty-four cartons of objects are stored in a secure location, and remain to be inventoried. Among them are proclamations of federal, state and local governments honoring Justice Mosk; honorary degrees; his tennis racket and many trophies; objects commemorating his service anniversaries; and many smaller gifts.

#### **AUDIO VISUAL MATERIALS**

Forty-two items, including video and audio cassettes, slides and films have been received and 32 have been digitized for preservation. Among them are the address delivered at Attorney General Mosk's 1959 inauguration, recordings of messages to his family during his military service, and recordings of radio and television interviews.

In both size and significance, The Stanley Mosk Papers have become an essential primary resource for the study of California legal history. Researchers are welcome at the California Judicial Center Library, for use of this unparalleled collection and the other resources available in Special Collections & Archives. For additional information, or to arrange a visit, please contact the library by phone, (415) 865-4383 or by email, [Archives@jud.ca.gov](mailto:Archives@jud.ca.gov). ★

## **CALIFORNIA COURT HISTORY AT THE CALIFORNIA JUDICIAL CENTER LIBRARY**

An active participant in the study of the history of the California Supreme Court and Courts of Appeal, the California Judicial Center Library (CJCL) strives to contribute to the development of historical resources. By collecting, preserving, indexing and cataloging collections and other materials donated by justices and their families and others, CJCL intends to contribute resources for historical study. Primary and secondary resources are held in Special Collections & Archives at CJCL. Other resources, including the library's Web site (<http://library.courtinfo.ca.gov>) and exhibits are intended to foster wide interest in the study of California's court history and influence on the development of American law.

CJCL welcomes visitors to the collections. Rules for use of the collections have been established in accord with approved policies that ensure compliance with all applicable California and federal law. Admission to Special Collections & Archives is by written permission, requested in advance and in writing. Requests may be submitted by email to [Archives@jud.ca.gov](mailto:Archives@jud.ca.gov). CJCL is located in the Hiram Johnson State Building, Room 4617, 455 Golden Gate Avenue, San Francisco.

#### **THE COLLECTIONS**

The largest collection of papers is that of the late Justice Stanley Mosk, discussed in detail elsewhere in this issue. Other collections available for study include papers of or relating to: Hon. Janice R. Brown, Hon. Otto M. Kaus, Hon. Frank C. Newman, Hon. Niles Searls, and Mr. Bernard E. Witkin.

*continued on page 14*



CLOCKWISE, FROM UPPER LEFT

**SOCIETY BOARD (L.-R.):** *Board Chair Chief Justice Ronald George and Board members Associate Justice Kathryn Mickle Werdegar, Jake Dear, Selma Moidel Smith, Immediate Past President Ray McDevitt, and President David McFadden.*

*Holly Fujie, President of the State Bar of California.*

*President Vice President Ophelia Basgal and Chief Justice Ronald George.*

**LUNCHEON PANEL (L.-R.):** *Professor and former dean Jesse Choper, former Texas Chief Justice Thomas Phillips, Chief Justice Christine Durham of Utah, and Chief Justice Thomas Moyer of Ohio.*

## *First Berkeley Conference on the California Supreme Court*

This fall, the Society had the opportunity to support Berkeley Law's first-time Conference on the Supreme Court of California. Focused on the current work of the Court as a leading state high court, the conference was presented by the UC Berkeley School of Law as a full-day event on November 14 at the university's Clark Kerr Campus in Berkeley. The Society was pleased to co-sponsor the reception preceding the address by Chief Justice Ronald George, attended by the presenters, registrants, and Society directors and members.

Each of the day's four plenary sessions was moderated by a justice of the California Supreme Court. Topics included a review of the current year's term (Justice

Kathryn Werdegar), the death penalty and appellate process (Justice Carol Corrigan), arbitration and private judging (Justice Ming Chin), and access to justice in Family Court (Justice Marvin Baxter). The program opened with presentations by Berkeley Law Dean Christopher Edley, Jr., former and current State Bar presidents Jeffrey Bleich and Holly Fujie, respectively, and former governor Pete Wilson. Plenary sessions featured panel discussions by leading academics and practitioners.

A special luncheon panel on judicial elections and impartiality was led by professor and former dean Jesse Choper. It included former Texas Chief Justice Thomas



Phillips, and Chief Justices Christine Durham of Utah and Thomas Moyer of Ohio, who discussed the imperative for maintaining the independence of the judiciary in the face of varying challenges.

In his address, California Chief Justice Ronald George emphasized the importance of state courts—in which ninety-eight percent of all cases are decided—and the particular importance of the California Supreme Court, “whose decisions are the most followed by other courts of all the state high courts in the nation.”

The Society appreciates his gracious remarks in recognizing the support given by the Society to the Court in general and to the conference in particular. ★

CLOCKWISE, FROM UPPER LEFT

*Luncheon program at the Clark Kerr Campus dining hall. Justice Kathryn Werdegar, former governor Pete Wilson, and Dean Christopher Edley, Jr. (UC Berkeley Law).*

*BOARD MEMBERS (L.-R.): Ray McDevitt, Selma Moidel Smith, Jake Dear, Frederick Ohlrich, and President David McFadden.*

*PANEL MODERATORS (L.-R.): Associate Justices Marvin Baxter, Kathryn Werdegar, Ming Chin, Carol Corrigan, and Chief Justice Ronald George.*

*Jesse Choper (professor and former dean, UC Berkeley Law) and Eric George (partner, Dreier Stein Kahan Browne Woods George LLP).*

## CALIFORNIA COURT HISTORY AT THE CALIFORNIA JUDICIAL CENTER LIBRARY

*continued from page 11*

Records of the California Supreme Court Historical Society, dating from 1980 through 1993, are also available.

The earliest records in the collections date from the 1850s. The collection of Chief Justice Searls includes *Mining Laws of Junction Bluff Mining District, 1858*. The most recent record is that of Stanley Mosk's article, "State Constitutionalism: Both Liberal and Conservative," published in the Society's *California Legal History*, vol. 1 (2006).

### THE CJCL WEB SITE AND THE CALIFORNIA SUPREME COURT AND COURTS OF APPEAL DATABASE

A link on the Web site homepage takes researchers to the California Supreme Court and Courts of Appeal Database. This database contains current and historical information about the California Supreme Court and Courts of Appeal, in three types of records.

- ◆ **JUSTICES' RECORDS.** More than 500 records for California Supreme Court justices and justices of the California Courts of Appeal include: justices' names; dates of appointment; year(s) of birth (with dates of death for deceased Justices); and dates of service on the court(s). Also included are appellate district, division, and appointment as chief justice or presiding justice, if applicable.

- ◆ **ORAL HISTORY RECORDS.** More than 60 records describe transcripts of oral history interviews with Courts of Appeal Justices, conducted by the California Appellate Court Legacy Project. Records include: Justice's name, interviewer's name, interview date, contents and index or highlights notes. Information about video recordings of the oral history interviews is available in the Library Catalog on the Web site.

- ◆ **SPECIAL COLLECTIONS & ARCHIVES.** More than 2,700 records provide brief descriptions or complete listings of holdings of papers of justices of the California Supreme Court, Bernard E. Witkin, and others; and records of the California Supreme Court Historical Society.

Extensive searching is possible in the database, using familiar search strategies similar to those

of most online library catalogs. Researchers can obtain data about an individual justice, or about all of the justices of the California Supreme Court, or of an appellate district or division. Oral history interview transcripts have been indexed and selected index terms are displayed as highlights in the oral history records. Because highlights are keyword-searchable, topical access to the contents of the interviews is available in the database. Records in Special Collections & Archives can be searched by personal name or name of an organization, and so it is possible to discover, for example, whether Justice Mosk spoke to a particular organization and the date, location and topic of the speech.

Search results can be refined using one or more of the methods available for sorting or limiting retrieved data. Data can be sorted to alphabetical order, chronological or reverse chronological order, or by relevance to the search request. It is also possible to limit search results to specific dates or types of records. Examples and directions for searches are provided on the library Web site.

### EXHIBITS

Carefully researched and documented, exhibits are intended for a general audience. Exhibits have included *California Women and the Law* and *California's Chief Justices*. Two permanent exhibits in the Stanley Mosk Courthouse, Los Angeles, commemorate Justice Mosk's life and work. *Striving for Justice: Yesterday, Today and Tomorrow* marked the centennial celebration of the Courts of Appeal. *In Writing With Reasons Stated: The Reporter of Decisions and the California Official Reports* described the work of Reporters from the nineteenth to the twenty-first century. Brochures describing other past and current exhibits are available in *News* on the library Web site.

CJCL welcomes all visitors, virtual and in person, to the library Web site and to Special Collections & Archives. Suggestions are also very welcome, and can be sent via the Web site or directly to [Archives@jud.ca.gov](mailto:Archives@jud.ca.gov). CJCL is honored to collect, preserve and provide access to the records that shape and reflect the history of California's courts. ★

## Celebrating the Life of Stanley Mosk at the Mosk Courthouse

JOHN C. VAN WHERVIN, DIRECTOR

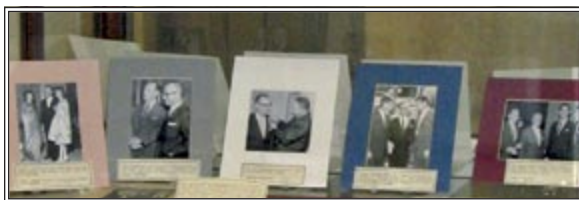
FACILITIES SERVICES AND CAPITAL PROJECTS DIVISIONS, LOS ANGELES SUPERIOR COURT

The Stanley Mosk Courthouse, the headquarters of the Los Angeles Superior Court, lies in the midst of the Los Angeles Civic Center. Surrounded by the Disney Concert Hall, The County Hall of Administration and City Hall two blocks away, the courthouse, like the man it is named for, is an icon of justice. Upon entering the courthouse at either its East or West entrance, members of the public, litigants, litigators, and others pass by separate displays of pictures and memorabilia of Justice Mosk's life. The displays are critically important to inform people who may not know who Justice Mosk was, and why the building is named for him.

Justice Mosk's service to the State of California for over sixty years touches on many of the issues that shape our society today. It is not just the accomplishments of the man that are significant, but the impact they have had on society that makes the Mosk displays so important. They allow everyone who takes the time to look at the printed material in the display cases to see how Stanley Mosk and his life affects each of our lives.

Every day, thousands of people walk through the Stanley Mosk Courthouse and many hundreds of them pass by the displays. Passersby of all ages and vocations find items of interest. Young people and students see a high school diploma, University of Chicago pennant and a Southwestern Law School graduation photo. The practicing attorney is inspired by various rulings in Justice Mosk's career. The person contemplating public service sees campaign ads related to the Justice's various public offices. The military person sees Justice Mosk's U.S. Army photo, and nearly everyone recognizes photos of Justice Mosk with Martin Luther King, Jr., Frank Sinatra, Dean Martin, and Presidents John F. Kennedy and Harry Truman.

If we look at the panorama of Justice Mosk's life, we see a young man educated in the public school system, an athlete and scholar who excelled in his education through high school, college, and law school, with achievements not beyond the hopes of many people



Photos include Mosk with Indira Gandhi (left), Martin Luther King, Jr. (center), and Robert and John Kennedy (second from right).

today. To young men and women, this says, "I too can rise from my modest beginnings to contribute greatly to society." Then we see the young Stanley Mosk entering a career of public service that is unparalleled by most.

Although the dates and events are generations old, enduring values appear in the displays. Photos with President Kennedy represent the era of the civil rights struggle. Photos with Dr. Martin Luther King, Jr., represent non-violent social action. The resignation of his judgeship to serve in the military during World War II symbolizes the ultimate in civic duty. Further, Justice Mosk's legal opinions range from permitting Charlie Sifford to become the first African-American golfer to play in a PGA tournament, to the rights of disabled parents, to the right of journalists to refuse to surrender unpublished material without being held in contempt of court. From civil rights to parental rights to freedom of the press, Justice Mosk's legacy touches the lives of many people who come to our court today.

Our thanks go to the California Supreme Court Historical Society for their help in making the Stanley Mosk displays at our courthouse a reality. ☆



One of two display cases donated by the Society at the Stanley Mosk Courthouse. The objects displayed are from the Stanley Mosk Collection, a gift of Justice Richard M. Mosk, in the Archives at the California Judicial Center Library.



## Preserving Our Pictorial Legal History

HOWARD K. WATKINS

My life as a lawyer has been enriched for more than thirty years by my avocation as a legal photographer. My photographic work has given me the opportunity to record the pictorial history of our legal profession in California. I am now donating my collection of over 180,000 photographs to the Madden Library at CSU Fresno with the goal of making them available as an online database free to the public. Donations from many organizations and individuals, including a grant from the California Supreme Court Historical Society, have already raised more than two thirds of the funds needed to create the Howard K. Watkins Photographic Archive project.

While much of my work focuses on the legal history of the Central Valley—the area surrounding Fresno where my law practice is located—the collection includes photographs on all aspects of California legal history. Especially notable are photographs of all of the state Supreme Court justices since the 1970s. The collection chronicles the swearing-in ceremony of virtually every State Bar president since 1983 and a large number of Annual Meeting speakers and activities of the Conference of Delegates. Subjects range from California Women Lawyers events to Bernie Witkin (at home in his study) to numerous bar-related activities throughout the state.

A special highlight of my photographic work was serving as official photographer of the California Supreme Court during its special session in Fresno on

TOP LEFT: *Bernie Witkin at home in his study with his manual Royal typewriter.*

TOP RIGHT: *Chief Justice Ronald George administering the oath of office to former California Attorney General John Van De Kamp as the State Bar's 80th president.*

BOTTOM LEFT: *Chief Justice Malcolm Lucas administering the oath of office to Margaret Morrow, the first woman president of the State Bar of California.*

BOTTOM RIGHT: *The Supreme Court arriving at the Fresno Amtrak station for its special session held at the Court of Appeal, Fifth Appellate District. Pictured are (l to r) Associate Justices Carlos Moreno, Janice Brown, Ming Chin, Kathryn Werdegar, Marvin Baxter, and Joyce Kennard, Chief Justice Ronald George, and Fresno Mayor Alan Autry.*

October 8, 2002. It has also been my privilege to photograph events of the California Supreme Court Historical Society, the Administrative Office of the Courts, the State Bar, and the California Judges Association. In return, I have always felt it my duty to make photographs available to such organizations without charge.

Unlike many other photographic collections, the goal of my project is to have the photographs digitized, indexed, and available free to the public via the Madden Library Web site. The Fresno Regional Foundation, a 501(c)(3) non-profit corporation, is working with me to raise funds for completion of the project. Information is available at [www.watkinsphotoarchive.com](http://www.watkinsphotoarchive.com).

Former State Bar Presidents Don Fischbach and Tony Capozzi noted in a recent letter to State Bar leaders, "It is not often that one can help preserve the legal community's pictorial history for easy retrieval for generations to come. Please join us in helping to ensure this marvelous legacy." I am pleased to express my appreciation to the California Supreme Court Historical Society for helping to support this goal. ★



# Francisco Ramirez: Pioneering Mexican-American Lawyer

PAUL GRAY

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A pioneering Mexican-American lawyer in California, Francisco P. Ramirez, is the subject of a biography on which I have been working for several years while also practicing law in Claremont, California. A grant from the California Supreme Court Historical Society has made it possible to write several additional chapters, and now eleven of the projected twelve chapters are complete.

Ramirez (1837-1908) was well known during the 1850s as the precocious bilingual editor of a Los Angeles Spanish-language newspaper, *El Clamor Público*. This publication failed because of unpopular political editorials and protests against unfair treatment of Mexicans. By 1869 Ramirez abandoned journalism to become a lawyer in Los Angeles. He formed a law partnership in 1872 with Frederick A. Stanford, a former colonel in the Texas State Militia. The last twenty-eight years of his life were spent in Baja California. The rare photograph that accompanies the text, showing him at age sixty-five, was recently discovered in a 1902 government file in Mexico City.

The following is a condensed excerpt from Chapter One, "A Precocious Journalist." (For reasons of space, the footnotes have been omitted.)

◆ ◆ ◆

The first edition of the Spanish-language newspaper, *El Clamor Público*, was distributed in Los Angeles on June 19, 1855 to a curious group of initial subscribers. The weekly publication was produced almost single-handedly by a brilliant and astonishingly precocious eighteen-year old named Francisco P. Ramirez who presented his journal as a champion of the Mexican people.

Ramirez's hopes for his newspaper were frustrated by its unpopular content. He often expressed radically liberal views on politics and race relations that both conservative Mexicans and Americans found offensive. Many readers recoiled at the unrestrained emotion presented in some of his editorials, a consequence of his extreme youth. Subscriptions and advertising gradually diminished until Ramirez, bankrupt and embittered, printed his last edition on December 31, 1859.

Francisco P. Ramirez was born in Los Angeles on February 9, 1837, the fourth of thirteen children. He was raised at his father's homestead near the plaza. As a nine-year-old, Ramirez may have witnessed the

entry of American troops into the little town on January 10, 1847. In good marching order, the force passed very near the Ramirez residence on Alameda Street, a stirring event enhanced by a brass band, the first ever heard in the city. His maternal grandfather's widow, Encarnación Sepúlveda de Avila, fled to the home of Louis Vignes, Ramirez's wealthy French-born godfather, leaving her residence at the plaza unattended. An American officer noticed the fine appearance and furnishings of the abandoned Avila adobe and ordered it taken for use as a military headquarters. This structure still stands on Olvera Street and is the oldest house in the city. The seizure of his grandfather's house by invading American forces was the first of many acts by which Ramirez learned, even as a child, that he belonged to a conquered people.

Ramirez grew up during an unstable period when Los Angeles was evolving from a remote adobe village on the Mexican frontier to an American city. He was a remarkable boy who quickly acquired an excellent knowledge of English from American settlers. Earlier in his life he had learned French, probably taught to him by Louis Vignes and his compatriots. Ramirez's mastery of French and English, together with his native Spanish, made him conversant in three languages before he was fourteen years old.

In his later years, Ramirez provided the historian Hubert Howe Bancroft with a biographical "dictation" in which he said that his education was mainly acquired by "self-application to books." The results were impressive. His later writing appears to be the work of a highly educated person. Without knowing his background, some historians have erroneously concluded that Ramirez must have been the product of a Mexican university. In fact, he was a self-taught prodigy who never went to school outside California.

During 1851, Ramirez was hired by the *Los Angeles Star* as a compositor. The newspaper first appeared on May 17, 1851, to serve American residents who were a distinct minority in a Mexican population. As a gesture toward its surroundings, the back page of the journal was printed in Spanish under the title *La Estrella de Los Angeles*. Ramirez's fourteenth birthday occurred just two months before the first edition of the *Star*. Despite his youth, he was a natural candidate for employment by the newspaper. Ramirez was one of the few people in Los Angeles who was at home with the printed word

in English and Spanish. He became an expert typesetter and absorbed the details of operating a newspaper.

[Ramirez then attended a Jesuit college in northern California and settled in San Francisco, where he was employed at the short-lived newspaper, *The Catholic Standard*, from 1853 to 1954. Thereafter, he worked briefly at *The Weekly California Express* in Marysville.]

Toward the end of 1854, Ramirez left Marysville and returned to Los Angeles. Upon his return he was only seventeen years old, but highly skilled in newspaper work and far more sophisticated than his age would suggest. These qualities induced James S. Waite, owner of the *Los Angeles Star*, to offer Ramirez the editorship of the paper's Spanish page, *La Estrella de Los Angeles*.

By January 1855, Ramirez transformed *La Estrella* into a lively source of local news and items of interest to Spanish-speaking readers. The February 2, 1855, issue of San Francisco's *Alta California* remarked, "The editor of the Spanish page of the *Los Angeles Star* is a native Californian named Francisco Ramirez, only fifteen years of age. Those versed in the Castilian language say that *La Estrella* is a model for purity of style." Actually, Ramirez was only a week short of his eighteenth birthday when this item was published, but it shows that he was acquiring a reputation among journalists as something of a phenomenon.

Ramirez was not long content as the editor of *La Estrella*. He aspired to begin his own Spanish-language newspaper in Los Angeles. This ambition was encouraged by his employer, James S. Waite, who thought that profits could be increased by abandoning the Spanish page altogether and using the extra space for English advertising. Waite allowed Ramirez to publicize his proposed newspaper in the pages of the *Star*. Ramirez chose to call his newspaper *El Clamor Público*, a name already in use by one of Madrid's great journals.

Throughout May 1855, the *Star* announced the forthcoming appearance of *El Clamor Público*, a newspaper to be "devoted exclusively to the service and interests of native Californians." Ramirez produced the first edition of *El Clamor Público* on June 19, 1855. A week later, the June 27 *Daily Alta California* in San Francisco passed a favorable judgment: "We received yesterday, the first number of *El Clamor Público*, a newspaper printed wholly in the Spanish language. It is edited and published by Francisco P. Ramirez, a native Californian, a mere youth in years... but uncommonly talented and well educated. *El Clamor Público* is a handsomely printed sheet and published at the low rate of \$5 per annum. We trust the Spanish people of the South will give this newspaper a liberal support.

Ramirez probably intended *El Clamor Público* to be an ethnic newspaper based on models he observed in San Francisco. It is highly doubtful that he was influenced by the example of the Mexican press. There

was no tradition of free elections in Mexico. After its independence in 1821, every government was installed through a violent revolution. Except for official gazettes and literary journals, most Mexican periodicals were ephemeral organs of insurrection and agitation. In contrast, *El Clamor Público* called for orderly social change and attempted to influence elections in the same manner as an American newspaper. Its format and style were nearly identical to any of the state's other three dozen or so newspapers. Ramirez's understanding of journalism was clearly a result of his experience working in the American press.

While his newspaper experiences taught Ramirez much about American society, he could not accept the position of Spanish-speaking people within it. He was aware that white Americans had the most alarming attitudes toward racial differences. As Bancroft wrote, "The feeling bred by border war and conquest, and more or less defiant contempt among Anglo-Saxons for the dark-hued and undersized Hispano-Americans, nicknamed greasers, had early evoked an ill-disguised animosity between the two races." Anglo-Saxon racism was the central problem in Ramirez's life. He understood that the inevitable result of American bias would be the subordination of Spanish-speaking people. His response was to publish *El Clamor Público* as an organ of Mexican resistance and political action.

The success of Ramirez's newspaper was jeopardized because he was out of touch with the profoundly conservative Mexican community in Los Angeles. At some point Ramirez had embraced the principles of nineteenth-century liberalism, especially the variety encountered in Mexico. He probably read the work of Mexicans like José María Luis Mora and other ideologues of the liberal movement headed by Benito Juárez.

Several recurrent themes appeared in the pages of *El Clamor Público* that were drawn directly from Mexican Liberalism. Among them was a fervent belief in racial equality and the abolition of slavery. Others included the impartial administration of justice and full political rights for every citizen. Such ideals were incorporated in the United States Constitution, a document greatly admired by Ramirez, but he believed they were largely nullified by American racism and slavery.

The traditional Mexican society of Los Angeles was not amenable to the views espoused by Ramirez. The most damaging opposition to *El Clamor Público* came from wealthy Spanish-speaking landowners who made up only about three percent of California Mexicans. This influential group resided in adobe townhouses adjacent to the plaza in Los Angeles when not visiting their outlying ranches. Sometimes known as the "ranchero elite" they controlled the economic, political, and social life of Mexican Los Angeles.

The first American political leaders cultivated an alliance with the rancho elite. One early politician, a young lawyer named Joseph Lancaster Brent, learned to speak fluent Spanish and set about recruiting prominent rancheros into the Democratic Party. Brent, a Catholic from Maryland, captivated many wealthy Mexican families by his personal charm, shared religious beliefs, and ability to speak the native language. He represented a branch of the Democratic Party originating in the Deep South known as the “Chivalry,” which zealously supported slavery and its extension into the territories acquired after the Mexican-American War. Many of the rancho elite found the Chivalry appealing. There was a certain analogy between their position as owners of vast estates supported by Indian labor and the aristocratic plantations of the South worked by Black slaves.

The vast majority of Mexicans in Los Angeles in the 1850s were members of the working class. In 1860, skilled and unskilled laborers made up about eighty-six percent of the town’s Mexican population. Many were dependent on the rancho elite for a living and stoically accepted their humble position as a normal part of the Mexican social order. Nevertheless, most Hispanic landowners and their workers had an ancient element of reciprocity in their relationship which was rooted in Spanish feudalism. Mexican *patrones* often sponsored weddings, baptisms, and funerals for their employees. They were likely to be chosen as godfathers by their workers, a highly important undertaking in Mexican society that bound them to assume responsibility for the children should their parents die or become disabled. In such manner, certain personal loyalties developed between master and servant that were unknown in American society. This helped the rancho elite to gather the votes of those they employed.

For the most part, working class Mexicans had little interest in politics. *La Estrella de Los Angeles* noticed this fact on October 30, 1852, in a Spanish column written by the editor: “We have seen with pain the great apathy that has existed on the occasion of elections. We have heard with surprise the statements of many people that election results are not important.” Much as Ramirez would later do in the pages of *El Clamor Público*, the editor exhorted ordinary Mexicans in Los Angeles to participate in public affairs and vote for “honest and just men who will attend to your complaints.”

Ramirez was not a member of the rancho elite or the working classes. His family belonged to a small number of agriculturists, merchants, and entrepreneurs

who stood outside the traditional relationship between rancheros and their workers. As a liberal, he tended to align himself with the laboring classes. He hoped to raise their political awareness and induce them to vote for candidates who would somehow reduce discrimination and improve the condition of Spanish-speaking people. Yet few of the Mexican poor subscribed to his newspaper or reflected on the merits of his work. A tremendous apathy existed on the part of most Mexicans toward politics, a fact which helped defeat the aspirations of Ramirez and caused him much personal anguish.

Los Angeles Mexicans failed to support Ramirez for additional reasons. Most would not subscribe to *El Clamor Público*, or any other newspaper, simply because they could not read. In 1850, far less than half of Spanish-speaking adults in Los Angeles were literate. There was also a tendency for Mexicans to move in and out of the city in accordance with demand for their labor. Only eleven percent of Spanish-speaking families resided continuously in Los Angeles from 1850 to 1880.

In this first issue, *El Clamor Público* was represented as an “independent newspaper, following the banner of no political party or religious sect.” Ramirez wrote that it was “built on the foundation of liberal ideas” and its columns would always be open for “impartial discussion of all public affairs.” It contained only four pages, but the annual subscription rate for fifty-two weekly copies was five dollars. This must have discouraged many Mexican laborers from subscribing since most earned less than a dollar a day.

Despite the purported “independent” position of *El Clamor Público* on political matters, Ramirez immediately used his newspaper to attack the American Party, a growing force in California politics in 1855. The party began in Massachusetts as a protest against a huge wave of Irish immigration to the United States. The American Party advocated restrictions on further immigration to the United States and exclusion of Roman Catholics from public life. It tried to be a secret society whose members were instructed to keep silent on its activities and objectives. Because of this, those belonging to the party were soon called “Know-Nothings.”

In the July 3, 1855, issue of *El Clamor Público*, Ramirez sarcastically wrote that the Know-Nothings were “miserable and fanatic beings” who were intent on destroying the rights of every person “of whatever class or condition who has the *misfortune* to profess the Catholic religion.” He urged his readers not to fall victim to their usual apathy: “Many of you believe that the



Francisco P. Ramirez

right to vote is of little importance and completely fail to do so. But the right you view with so much indifference and lethargy is the only guarantee of our liberty.”

In a July 24 editorial, Ramirez unburdened himself on slavery, an issue that deeply disturbed him. It was the first public expression of his unusually radical views:

The idea of liberty in the United States is truly curious.... Certain people have no liberty at all. It is denied by the courts to every person of color.... But there is the great liberty of any white man to buy a human being in order to arbitrarily hang him or burn him alive. This happens in states where slavery is tolerated and the vilest despotism runs wild—this, in the center of the nation that calls itself a “model republic.”

The next edition had another editorial on slavery in which Ramirez displayed an impressive knowledge of the subject. The Compromise of 1850 and the part Henry Clay played in it was briefly discussed. Ramirez mentioned protests against slavery published by ex-president John Quincy Adams and outlined the development of the abolitionist movement in New England. He deplored the suffering of slaves caused by separation from their families, being sold like animals, and the horrors of severe punishment imposed at the whim of white masters.

These attacks on slavery were not favorably received by most Americans in Los Angeles. A few local people from the northeast quarter of the United States opposed slavery, but their objections were not based on any humane considerations. They thought that bringing slaves into the West would degrade the value of free white labor and reduce wages. Ramirez’s hatred of slavery was consistent with the ideal of racial equality introduced into Mexico by liberals who abolished slavery as early as 1810 and attempted to give full juridical and civil rights to Indians. Although constant warfare between liberals and conservatives impeded such reforms, a belief in racial equality remained fundamental to Mexican liberal ideology and was one of Ramirez’s most deeply held convictions. He was a defender of every racial group in California.

Ramirez published a January 19, 1856, editorial opposing a bill in the legislature to exclude Chinese from the state, saying: “America is a free country and a haven for the oppressed of other nations, and it would not be reasonable or just to close its doors to an industrious people merely because their customs are different from ours and they have another color.” At this time there was virtually no popular support for the Chinese who were willing to work for greatly reduced wages. But beyond being a champion of this maligned group, Ramirez was an almost solitary voice of protest against mistreatment of Indians. Such advanced views on race

directly challenged the pretensions of the *ranchero* elite and repudiated American beliefs in white supremacy.

The radical tone of *El Clamor Público* provoked criticism from the community. Without identifying those responsible or stating the nature of their grievances, on November 6, 1855, Ramirez wrote: “We have been attacked by every means possible...but to those who have done so, both in our presence and outside it, we offer only our contempt.” He defiantly continued, “as journalists, private citizens, and honest men, we have a right to go about with our heads held high and not bow to anyone for any reason.” A few months later, February 2, 1856, Ramirez complained that “some people consider themselves censors of everything written or spoken by the editor and threaten him with death and all manner of tortures worthy of the inquisition.”

American indignation toward *El Clamor Público* may have been mollified during the first year of its existence by occasional articles expressing admiration for the United States and its people. Ramirez felt a close connection with American democracy. He understood that Mexican Liberalism and the United States political system arose from a common European origin. In some respects they were nearly identical, but America had achieved a level of stability and respect for the electoral process that was unknown in Mexico. One of Ramirez’s earliest editorials, July 3, 1855, praised the American Declaration of Independence and presented a remarkably detailed account of the men and events that inspired it, as well as a Spanish translation of the text. Ramirez wrote another laudatory column on August 28 saying that the government of the United States was “formed by men of such greatness and profound wisdom that they have no parallel in history.” Three weeks later, *El Clamor Público* published a short biography of every American president.

There was a strange juxtaposition of articles in the newspaper on May 24, 1856. One article, written by Ramirez, described the phenomenal development of commerce, railroads, and telegraphic systems on the east coast of the United States. This progress toward becoming a world power was attributed to America’s liberal principles and democratic form of government. Immediately next to it was an item reprinted from *El Eco del Pacífico* reporting the slaughter of seventeen Chileans and three Mexicans by an American mob near Coulterville in the gold country. It was the latest in a long series of unpunished atrocities committed by Americans in northern California against the Latin race. The two articles stood side-by-side in utter contrast, one portraying Americans as founders of a great democracy and the other describing them as murderous enemies of Spanish-speaking people. Whether by coincidence or not, this issue marked the end of articles expressing an exalted opinion of the United States. ☆



David S. Terry  
California Supreme  
Court Justice  
October 1857–September 1859

# CIVIL AND UNCIVIL CONSTITUTIONAL RIGHTS IN CALIFORNIA: THE EARLY LEGAL HISTORY

◆ ◆ ◆

A COLLOQUIUM PRESENTED BY

THE CALIFORNIA SUPREME COURT

## Historical Society

AND



THE BAR ASSOCIATION OF  
SAN FRANCISCO



Clara Shortridge Foltz  
First Woman Lawyer  
in California  
admitted September 4, 1878



Chinese Field Hands  
in 1858



Peter H. Burnett  
California Supreme  
Court Justice  
January 1857–October 1858

*Introduction by Chief Justice Ronald M. George*

- ◆ *What is the legacy of early California civil rights cases that provided a foundation for changes in the 20th and 21st centuries?*
- ◆ *How were various racial groups treated differently by the legal system a century ago?*
- ◆ *Who were the people trying to advance California's civil rights jurisprudence?*

- PANELISTS:** Professor Joseph R. Grodin, Hastings College of the Law  
Professor Charles J. McClain Jr., University of California, Berkeley  
Professor Shirley Ann Moore, Sacramento State University
- MODERATOR:** John F. Burns, Former California State Archivist and current Member,  
Board of Directors, California Supreme Court Historical Society
- DATE:** Thursday, January 22, 2009, 4:30 p.m. to 6:30 p.m.
- LOCATION:** Milton Marks Auditorium, Lower Level, State Office Building, 350  
McAllister Street, San Francisco (underground parking at Civic Center  
Garage; close to Civic Center BART)
- ADMISSION:** Free for Historical Society members; free for students; \$10 for non-members;  
refreshments will be provided
- MCLE CREDIT:** 2 hours; MCLE registration 4:00 p.m. to 4:30 p.m. (credits apply also  
to judicial branch officers and employees under Cal. Rules of Court, rule  
10.481(b))
- RSVP:** Mail and include check, if applicable, to CSCHS, P.O. Box 1071, Fresno, CA  
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register online via [http://www.cschs.org/01\\_society/01\\_c.html](http://www.cschs.org/01_society/01_c.html).

The Bar Association of San Francisco is certified  
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# State Archives Digitizes Constitutional Convention Papers

LAREN METZER, DEPUTY STATE  
ARCHIVIST, CALIFORNIA STATE ARCHIVES

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With funding provided by the California Supreme Court Historical Society, the State Archives recently completed a project to digitize the working papers of the 1878-1879 Constitutional Convention.

Totaling over 18,000 pages, the working papers have long been largely inaccessible for research. These working papers reflect the work of delegates who convened in Sacramento from September 1878 to March 1879. Their work resulted in the creation of the 1879 Constitution, which still serves as the legal foundation for state government.

The papers include several sections that relate directly to the history of the state's judicial system. In the Committee Files, one can find records concerning the deliberations of the Judiciary and Judicial Department. Much of the work of the convention focused on the creation of articles for the new constitution. Within the Proposed Amendments and Articles Files, there are records relating to the judiciary. Amendment 3, for example, concerns the Supreme Court solely. The Minutes of the proceedings are also a rich source for information about the judiciary. Other portions of the collection, of course, contain documents relating to myriad legal issues.

The digitized collection, which will be available via the Internet at the State Archives Web site ([www.sos.ca.gov/archives](http://www.sos.ca.gov/archives)), consists of several parts, including the working papers, a user's guide, a finding aid, and two indices, a subject index and document type index. The working papers are organized into several distinct parts, including administrative files (3 file folders), committee files (12 file folders), memorials (5 file folders), reports (12 file folders), petitions (45 file folders), resolutions (5 file folders), amendments and articles (82 file folders), printer's drafts of articles (10 file folders), and minutes (126 file folders).

First-time users of the collection would do well to look at the comprehensive finding aid to the collection. This finding aid, prepared by State Archives staff, provides a wealth of information about the records and the political context of their creation. It includes a background summary relating to the convention, a listing of all elected delegates with their age, birthplace, residence, occupation, political party affiliation, and district represented, a listing of each committee with its respective representatives, a chronological chart depicting the dates when each article was reported, debated, amended, and adopted, and a record series-level description of the papers, which includes the number of file folders, identification number, and a summary description of the contents.

Two indices are included as well in the finding aid: convention resolutions are indexed numerically by number and provide subject, author, and date introduced; amendments are indexed numerically by number and provide subject, author, and date introduced.

If users have a particular subject to focus their research, it will be valuable to consult the subject index, which was especially created by State Archives staff in preparation for the digitizing of the records. The index is arranged alphabetically by subject term and includes the subject, identification number, and box, folder, and page references where the subject material is located. Note that many of the subject terms do not include a page reference since not all the documents in the collection contain page numbers. In addition to scrolling through the index to search for a topic, a user can enter a subject term in the box at the top of the page.

Users who want to search the collection by type of document should consult the document type index. This index, arranged by type of document, includes a link to an identification number, and other information as needed. Minutes, for example, which are organized chronologically by date, are broken down to the folder level with corresponding span dates.

A division of the Secretary of State's office, the State Archives is charged with selecting, managing, and preserving the historical records of state government. Holdings currently total about 105,000 cubic feet of records or about 252 million pages. Among the collections are 3000 linear feet of maps, drawings and architectural records, 675 linear feet of photographs, 650 linear feet of moving images, 150 linear feet of sound recordings, over 250 linear feet of microfilm and a small but growing collection of electronic records.

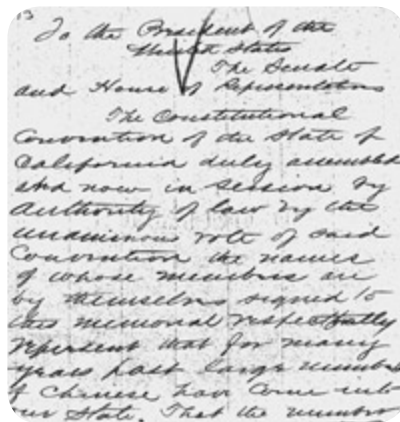
The State Archives has sizeable holdings from nearly all state agencies, including the state legislature, the state supreme and appellate courts, and constitutional offices. These records date to the 1850s. Included are the records of former governors Earl Warren, Goodwin Knight, Pete Wilson and Gray Davis, and the so-called Spanish archives, applications and maps for land deeded to private parties during the Spanish and Mexican eras, which date to the 1760s. Local government records transferred by cities and counties over the years include the records relating to the assassination of Robert F. Kennedy (1968) and the mass murder trial of Juan Corona (early 1970s). The State Archives also maintains all original laws, executive orders and proclamations dating to 1850.

Research of the collections can be divided into four distinct groups: the legal community, including legislative intent companies, the courts, law firms, district attorneys and litigants who are interested in court case files or bill files that may provide evidence of a law's purpose; academic researchers, including professors, teachers and students focused on a particular subject; genealogists who use census records, property records, military

records and licensing records to develop family histories; and general researchers pursuing a variety of particular topics.

LearnCalifornia is another resource that makes regular use of our collections. This innovative Web site, active since 2000, provides an on-line resource about California history and government for teachers and students. Resources include lesson plans, summaries of key events, background information about significant individuals, and selected records and images from the State Archives. The site received over 4.5 million hits in fiscal year 2007–2008.

Recent publications that have made use of the records include Ethan Rarick's *California Rising: The Life and Times of Pat Brown* (2005), Anthony Kirk's *A Flier in Oil: Adolph B. Spreckels and the Rise of the California Petroleum Industry* (2005), Clare McKanna's *Race and Homicide in Nineteenth-Century California* (2002), David Vaught's *Cultivating California: Growers, Specialty Crops, and Labor, 1875-1920* (1999), Kurt Schuparra's *Triumph of the Right:*



A memorial to the President and Congress regarding Chinese immigration

*The Rise of the California Conservative Movement, 1945-1966* (1998), Wendy Kline's *Building a Better Race: Gender, Sexuality and Eugenics from the Turn of the Century to the Baby Boom* (2001), and Ed Cray's *Chief Justice: A Biography of Earl Warren* (1997).

Numerous books, articles and television shows have made use of the Robert F. Kennedy records, including Dan Moldea's *The Killing of Robert F. Kennedy: An Investigation of Motive, Means, and Opportunity* (1995), William Klaber and Philip Melanson's *Shadow Play: The Murder of Robert F. Kennedy, the Trial of Sirhan Sirhan, and the Failure of American Justice* (1997), and

The History Channel's production, *Conspiracy: The Robert F. Kennedy Assassination* (2004).

Unexplored topics at the State Archives to date include the Juan Corona mass murder trial, the evolution of state government's treatment of mental patients, urbanization in twentieth-century Southern California, the rise of large-scale water projects and the story of Japanese-American internment during World War II. ★

## 2009 STUDENT WRITING COMPETITION CALL FOR ENTRIES



The complete announcement, as sent to California law schools and universities, is posted on the Society's Web site, [www.cschs.org](http://www.cschs.org).



**DEADLINE: JUNE 30, 2009**

**AWARD:** The winning author will receive a prize of \$2,500 and publication in the Society's journal, *California Legal History*. Second and third place winners may also be chosen, and all winning papers will be posted on the Society's Web site.

**TOPIC:** Original, unpublished scholarly writing on any aspect of California legal history, ranging from the Supreme Court itself and its justices and decisions, to local events of legal historical importance—including biography, significant trials, independent state interpretation, the California Constitution, and judicial administration, as well as areas of law such as criminal law, civil rights, family law, tort liability, environmental law, and taxation—in any time period from 1846 to the present.

On the leading position and nationwide influence of the California Supreme Court, see the article on "Followed Rates" by Jake Dear and Edward W. Jessen: [http://lawreview.law.ucdavis.edu/issues/41-2\\_Dear.pdf](http://lawreview.law.ucdavis.edu/issues/41-2_Dear.pdf)

**JUDGES:** The entries will be judged by a panel of legal historians.

**ELIGIBILITY & GUIDELINES:** The submission must be written during the student's enrollment in a school of law or as a graduate student in history, political science, government, public policy, or a related field. For further information please see the announcement on the Society's Web site.

**SUBMISSIONS & QUESTIONS:** Please send to the CSCHS Student Writing Competition Chair at [smsth@aol.com](mailto:smsth@aol.com). ★

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THE CALIFORNIA SUPREME COURT

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