



## *A Wistful Farewell*

BY DONNA C. SCHUELE

This newsletter issue marks my last as editor, my service as an executive director of the California Supreme Court Historical Society having ended in February. Most all non-profit positions entail financial and other sacrifices, and this one was no exception; my family's forbearance for over five years was very generous. I have so enjoyed serving the members of the Society, however, that I leave the organization quite wistfully.

Producing the CSCHS *Newsletter* has been a labor of love. When I arrived at the Society, the publication was in hiatus. Steady funding from our fee statement donors helped us restart this benefit of membership, and for this opportunity I am very grateful. I hope that you have enjoyed the high-quality scholarship, our now-regular features of book reviews and member news, and the elegant design.

This final column provides an opportunity to acknowledge those who have contributed to the success of the newsletter and other Society projects over the years. Foremost, I would like to thank founding board member Harry Scheiber, whose wholly volunteer efforts in establishing the newsletter back in the 1990s and serving so ably as editor set the bar. Experiencing over and again the efforts required to produce a single issue, I am amazed that there were years in which he produced four.

It was not only Harry's editorial skills that made the newsletter a first-rate publication. Just as important, his stature in the community of California legal historians resulted in submissions from leading scholars. In fact, with the involvement of Harry and other scholars on the board, including Gordon Bakken, Barbara Babcock, Judge John Wiley, Jerry Uelmen, David McFadden, and Susan Westerberg Prager, the CSCHS has stood alone among court-based historical societies throughout the nation for the level of participation by legal historians and academicians.

Kent Richland also deserves particular thanks. As president of the Society, Kent provided the crucial scholarly and creative space to allow the newsletter to take shape and flourish. That Kent has also rolled up his sleeves to serve as our official proofreader further demonstrates his dedication to this project.

Next, I would like to thank our original authors, all of whom provided their services pro bono. They have been both generous with their time and gracious with their acceptance of an exacting editor. Some, such as Kathleen Cairns and Holly Cole, had no previous contact with the Society. Their willingness to produce extensive articles a little more than the assurances of a stranger illustrates the collegiality among scholars that

makes it a pleasure to be a part of that world. Others, such as Debra Pollack Levy, probably didn't realize that a contact with the Supreme Court would lead to a writing request. Our members and directors have also served generously as authors, among them David McFadden, Peter Reich, Beth Eagleson, Germaine LaBerge, Barbara Babcock, and Jerry Uelmen.

The Society's alliances with the California Supreme Court, the Court of Appeal, the California Judicial Center Library, and the Administrative Office of the Courts have been invaluable. Most notably, we thank Chief Justice George for generously allowing the Society to publish his historically oriented speeches. His interest in California's past shines through in both the quantity and quality of these addresses. Board member and California Supreme Court Clerk of Court Fritz Ohlrich has been instrumental in providing numerous contacts for newsletter submissions. I'd like to thank Supreme Court Justice Joyce Kennard; Court of Appeal Justices Richard Mosk, Earl Johnson, and Patricia Bamattre-Manoukian; Court of Appeal staff Kevin Lane, Rick Seitz, and Jo Larick; and Judicial Center librarians Fran Jones and Martha Noble for serving as authors.

The newsletter has also benefited from the opportunity to include articles that first appeared elsewhere. It is heartening to see other publications, such as the *Los Angeles Times*, the *Daily Journal*, and *The Recorder*, give attention to California's legal and judicial history. In particular, I would like to thank Cecilia Rasmussen, who, through her *LA Times* column "Then and Now," illuminates some of the bench and bar's more curious history.

One of the features instituted under my editorship has been the "On Your Bookshelf" series. There is always pressure in promising readers a regular column, but my reviewers never disappointed. Their task was double: not only producing an article but first taking the time to consider carefully the subject work. For these efforts, I would like to thank CSCHS members and directors Wendy Lascher, Paul Bryan Gray, Susan Westerberg Prager, and Thomas Reynolds; former CSCHS interns Sabrina Corsa and Shoorat Isaev; Alicia Rivera; and Richard Schaufler.

Another regular feature, Member News, could not have succeeded without the contributions of our accomplished members. Features like this help transform an organization into a community, and I am grateful for the sustained interest you have shown this column.

This issue continues a series that began a year ago in celebration of the one-hundredth anniversary of the California Court of Appeal. It was proposed and facilitated by CSCHS board member Jake Dear, and I would like to thank our authors,

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Court of Appeal Justices James Marchiano and Arthur Gilbert, and research attorneys Levin and Will Gorenfeld, for providing inside views into the history of the districts and divisions. I encourage the Society to extend this series until all six districts are featured.

Finally, sincere gratitude goes to someone whose name appears nowhere in our issues but whose imprint is pervasive: our talented designer, Christopher Kahl. Christopher has established the elegant, historic look of the newsletter, and has demonstrated an unparalleled dedication to the Society and its mission. In a testament to the Internet Age, over the years Christopher and I have conducted all of our business by computer, fax, and phone. Perhaps now that a newsletter deadline does not loom, we'll have time to meet in person!

I have also enjoyed creating educational programs for the state bar's annual meeting. Our aim has been to choose timely topics where history can inform current debate. To that end, our panels have addressed the use of historians as expert witnesses, California courthouses, WWII reparations cases, civil liberties during wartime, and the First Amendment religion clauses. Our members and directors have given generously of their time in this venue as well: our speakers have included Gordon Bakken, Bill Keller, Peter Reich, and Ray McDevitt. Over the years, the CSCHS's programs

developed a reputation for high quality and engaging discussion, drawing large audiences and kudos for being the best of the convention.

Our most recent program, "Religion and the State: Evolution of the First Amendment," was held at the annual state bar meeting in San Diego in October, 2005. The panel was chaired by Alan J. Reinach, an attorney with the Pacific Union Conference of Seventh-day Adventists, who contextualized the subject and moderated an incredibly lively question and answer period. Our panelists were Leigh Johnsen, who holds a doctorate in American history and specializes in colonial and early national Baptist history; Carolyn N. Long, a political scientist at Washington State University who has written extensively on twentieth-century free exercise cases; and Steven D. Smith, the Warren Distinguished Professor of Law at the University of San Diego School of Law, who spoke on the future direction of the Supreme Court with regard to establishment clause cases. The program was well-attended and well-received, with audience members commenting that the panel was "brilliant and well-selected," leading to an "absolutely superb presentation." The Society followed this program with a reception, and we thank the Chief Justice, along with Justice Moreno and former Justice Cruz Reynoso, for joining us.

Thank you again for the opportunity to serve the members of the California Supreme Court Historical Society.