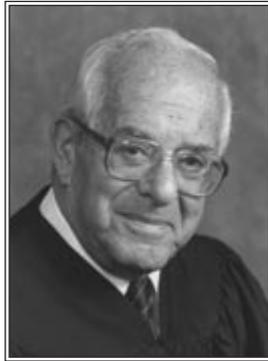


# The Stanley Mosk Papers

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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.

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