



*At the ceremony held on July 7, 2011 in the Great Hall of the Hiram Johnson State Building in San Francisco to present a framed resolution of the Judicial Council are: (LEFT TO RIGHT) William Vickrey, Administrative Director of the Courts, since retired; Frances M. Jones, Director of the California Judicial Center Library; Mrs. Eleanor Manuel, wife of the first African-American to serve on the California Supreme Court, the late Justice Wiley Manuel; Ronald Overholt, Interim Director of the Administrative Office of the Courts; Associate Justice Timothy Reardon of the First District Court of Appeal; Judge Winifred Younge Smith of the Superior Court of Alameda County; and Mr. Michael Thompson, son of the late Court of Appeal Associate Justice Leon Thompson.*

PHOTO: RITA MAH, ADMINISTRATIVE OFFICE OF THE COURTS

## “ . . . And Justice For All”

CELEBRATING 50 YEARS OF SERVICE BY  
CALIFORNIA AFRICAN-AMERICAN JUSTICES, 1961-2011

FRANCES M. JONES\*

*Our children must never lose their zeal for building a better world. They must not be discouraged from aspiring toward greatness, for they are to be the leaders of tomorrow.*

FROM “MY LAST WILL AND TESTAMENT”  
BY MARY MCLEOD BETHUNE.

The exhibit, “. . . And Justice for All” was inspired by the ideal of encouraging leadership potential in young people, an ideal powerfully articulated by distinguished African-American educator, Mary McLeod Bethune.<sup>1</sup> Volunteers in Sacramento’s Black Youth Leadership Project, who introduce young students to California’s legislative process, observed many school

visits to the State Capitol’s Rotunda each year. Project volunteer Dia Poole’s<sup>2</sup> work with the Administrative Office of the Courts’ Black History Month Committee led to collaboration with the California Legislative Black Caucus, and to the development of an exhibit in the Rotunda honoring the service of seventeen outstanding African-American jurists on the California Supreme Court and Courts of Appeal.

When planners also observed that the year 2011 marked the seventieth anniversary of the appointment of the first African-American trial court judge as well as the fiftieth anniversary of the appointment of the first African American to the Court of Appeal, the exhibit began to focus on these milestones. The two anniversaries in 2011 — the 70th and the 50th — celebrate one man, the Hon. Edwin L. Jefferson, who served on the

\*Frances M. Jones, M.A., J.D., Member, Academy of Certified Archivists. Director, California Judicial Center Library. The author acknowledges and thanks the Hon. Henry E. Needham, Jr.; Hon. Patricia J. Titus; and Mr. Michael L. Thompson for their guidance and participation in the preparation of this article. And for research support and for kind and constructive criticism, thanks to library colleagues Jessica A. Brasch, Judith S. Mitchell and Martha R. Noble.

Los Angeles Municipal Court from 1941 until 1949, on the Los Angeles Superior Court from 1949 until 1961, and in Division Four of the Second Appellate District, from October 1961 until his retirement in May 1975.

In celebration of the judicial appointments made fifty and seventy years earlier, Senator Curren D. Price, Jr. (D-Los Angeles), introduced Senate Concurrent Resolution 38 and Assemblymember Mike Davis (D-Los Angeles) introduced Assembly Concurrent Resolution 47 to mark the anniversaries. Senator Price and Assemblymember Davis are Chair and Vice-Chair, respectively, of the California Legislative Black Caucus, which provided essential leadership and support for the exhibit and celebration.

Los Angeles Superior Court Judge Patricia J. Titus's important role on the Judiciary Committee of the California Association of Black Lawyers prompted planners to request her guidance and direction. Commenting on the significance of the developing exhibit, Judge Titus remarked that "for a century African Americans have looked to the courts for resolution of injustices. Acknowledging the role of the courts is essential and, without question, confidence in the courts increases with the participation of African Americans in judicial decision making."<sup>3</sup> At Judge Titus's suggestion, the exhibit was entitled "... And Justice for All."

The seventeen Justices have been honored in formal resolutions by the California Senate, the Assembly and the Judicial Council, and in dedication ceremonies in Sacramento, San Francisco and Los Angeles. The Assembly and Senate Concurrent Resolutions were signed on April 25, 2011 and an opening ceremony for the exhibit was held in the State Capitol on that day. The Judicial Council's Resolution, presented by Justice Martin Jenkins of the First District Court of Appeal and William Vickrey, Administrative Director of the Courts, was unanimously approved on June 24, 2011. A dedication program followed on July 7, 2011. The California Supreme Court Historical Society's support for the Los Angeles program, held at USC Gould School of Law on October 26, 2011, acknowledged the historical significance of celebrat-


ing the contributions of African-American jurists to the development of California law. The exhibit, originally developed for the Capitol Rotunda, is currently scheduled to appear in six cities throughout the state.

The celebration of African-American justices marks important anniversaries but, as Judge Titus has observed, the dedication and serious purpose of the current justices — Presiding Justice Raye and Justices Needham, Jenkins, Johnson, Murray and Codrington — also are to be honored and celebrated. They are a continuing source of encouragement and inspiration to young people and to all who respect and honor the law. At the San Francisco ceremony honoring the Judicial Council's resolution Mr. Michael Thompson, Justice Leon Thompson's son, remarked:


"So as we honor these African-American women and men, let their service be a reminder of the work still to be done: to encourage more African-

**“...And Justice For All”**  
 Celebrating 50 Years of Service by  
 California African-American Justices, 1961–2011


**Former California Supreme Court Justices**



**Hon. Wiley W. Manuel\***  
 Associate Justice  
 California Supreme Court, 1977–1981  
 University of California, Hastings  
 College of the Law  
 First African-American Justice  
 of the California Supreme Court



**Hon. Allen E. Broussard\***  
 Associate Justice  
 California Supreme Court, 1981–1991  
 University of California, Berkeley,  
 School of Law (Boalt Hall)  
 First African-American President  
 of the California Judges Association



**Hon. Janice Rogers Brown**  
 Associate Justice  
 California Supreme Court, 1996–2005  
 California Court of Appeal,  
 Third Appellate District, 1994–1996  
 University of California, Los Angeles,  
 School of Law  
 First African-American Female Justice  
 of the California Supreme Court

**Justices of the California Supreme Court  
 and California Courts of Appeal**

Established by constitutional provision in 1849, the Supreme Court of California is the state's highest court. To be eligible for appointment, a person must have been a member of the State Bar of California or a judge of a court in this state for at least 10 years. One Chief Justice and six associate justices are:

- appointed by the Governor;
- confirmed by the Commission on Judicial Appointments; and
- confirmed by the public at the next general election and at the end of his or her 12-year term.

Established by a constitutional amendment in 1904, the Courts of Appeal are California's intermediate courts of review. The state is divided into six appellate districts, with three of the districts subdivided into divisions. Each district or division has a presiding justice and two or more associate justices. The same rules that govern the selection of Supreme Court justices apply to those serving on the Courts of Appeal.

\* Deceased

*One of several display panels prepared for the exhibit by the Administrative Office of the Courts, highlighting the three African-American justices who have served on the California Supreme Court: Wiley Manuel; Allen Broussard; and Janice Rogers Brown.*



Standing with framed Concurrent Resolution of the California State Senate and Assembly displayed at exhibit's presentation at the University of Southern California Gould School of Law are: David McFadden, Immediate Past President of CSCHS; Selma Moidel Smith, CSCHS board member; and Dan Grunfeld, current CSCHS President.

PHOTO: MARTHA NOBLE, CALIFORNIA JUDICIAL CENTER LIBRARY

American students to pursue careers in the legal profession.”<sup>4</sup>

“... And Justice for All” commemorates and reflects the Judicial Branch’s continuing commitment to embracing judicial diversity. Because it honors the dedicated service of seventeen outstanding California appellate jurists and their past and present achievements, it offers encouragement to California’s young people and the gift of inspiration to all.

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## *African-American Justices Who Have Served on California Appellate Courts*

### CALIFORNIA SUPREME COURT JUSTICES

The first appointment of an African American to the California Supreme Court occurred two years after Justice Jefferson’s retirement from the Second Appellate District. In 1977 the Hon. Wiley W. Manuel was appointed to the Court, where he served until 1981. He was followed in office by the Hon. Allen E. Broussard, who served from 1981 until 1991. Five years later, in May 1996, the Hon. Janice Rogers Brown was elevated to

the Court from the Third Appellate District, where her service had begun in November 1994. Justice Brown’s nomination to the U.S. Court of Appeals for the District of Columbia Circuit was confirmed in June 2005, and she continues her service there today.

### FIRST APPELLATE DISTRICT JUSTICES

Four African-American justices have served in the First Appellate District. The Hon. Clinton W. White, Presiding Justice, joined Division Three in June 1978 and continued there until his retirement in 1994. In December 1978, the Hon. John J. Miller began his term in Division Two, where he served until his death in 1985. Justice Miller was also a member of the California State Assembly, where he served from 1967 until 1978. He was Assembly Minority Leader, 1970–1971, and a member of the Judicial Council from 1974 until 1978.

Current members of the First Appellate District are the Hon. Henry E. Needham, Jr. and the Hon. Martin J. Jenkins, serving in the Divisions Five and Three, respectively. Justice Needham’s appointment was confirmed in January 2007 and Justice Jenkins’s appointment was confirmed in April 2008.

### SECOND APPELLATE DISTRICT JUSTICES

As noted above, the Hon. Edwin Jefferson was the first African-American to serve on the Court of Appeal. His brother, the Hon. Bernard S. Jefferson, distinguished

author of a leading legal treatise,<sup>5</sup> began his service in Division One of the Second Appellate District in 1975, shortly after his brother's retirement. He became Presiding Justice of the division and served until his own retirement in 1980.

The Hon. Arleigh Maddox Woods was the first African-American woman appointed to the Court of Appeal. Joining Division Four in March 1980, she was appointed Presiding Justice in May 1982, and served in that capacity until her retirement in December 1995. The Hon. Vaino Spencer was appointed Presiding Justice, Division One, in August 1980 and served until her retirement in August 2007.

The Hon. Leon Thompson was appointed in December 1982 and served in Division Seven until his death in May 1988.

The Hon. Candace D. Cooper, appointed Presiding Justice of Division Eight in November 2001, served until December 2008. The Hon. Jeffrey W. Johnson assumed office as an Associate Justice in Division One in August 2009 and continues in office.

#### THIRD APPELLATE DISTRICT JUSTICES

As noted above, the Hon. Janice Rogers Brown served on the Third Appellate District from November 1994 until May 1996 before elevation to the State Supreme Court and subsequent appointment to the U.S. Court of Appeals for the District of Columbia Circuit.

The Hon. Vance W. Raye took his oath of office as Associate Justice in January 1991, and was confirmed as Presiding Justice of the Third Appellate District on December 10, 2010. The appointment of the Hon. William J. Murray, Jr. also was confirmed on December 10, 2010.

#### FOURTH APPELLATE DISTRICT JUSTICE

The Hon. Carol D. Codrington currently serves in Division Two. Her appointment was confirmed in January 2011. ★

#### ENDNOTES

1. Mary McLeod Bethune, *Mary McLeod Bethune: Building a Better World: Essays and Selected Documents*, eds. Audrey Thomas McCluskey and Elaine M. Smith (Bloomington: Indiana University Press, 1999), 61.
2. Senior Governmental Affairs Analyst, Office of Governmental Affairs, Administrative Office of the Courts.
3. Hon. Patricia J. Titus, in communication with the author, October 25, 2011.
4. Michael L. Thompson, remarks at the opening ceremony honoring "... And Justice for All," Ronald M. George State Office Complex, Hiram Johnson State Building, San Francisco, California (July 7, 2011).
5. Bernard S. Jefferson, *California Evidence Benchbook* (Berkeley, California: Continuing Education of the Bar, 4th ed., 2009).



*Susan Jefferson, daughter of the late Associate Justice Edwin L. Jefferson, standing next to exhibit panel honoring her father, the first African-American to serve as a trial court judge and as an appellate court justice in California.*



*Dan Grunfeld, CSCHS President, speaks at the exhibit presentation at University of Southern California Gould School of Law in October 2011. Justice Jefferson was a graduate of USC's Law School.*



*CSCHS President Dan Grunfeld and Susan Jefferson at USC Gould School of Law.*

PHOTOS ABOVE & PG 2: MIKEL HEALEY PHOTOGRAPHY