
Chief Justice Ronald M. George Records Comprehensive Oral History

LAURA McCREERY*

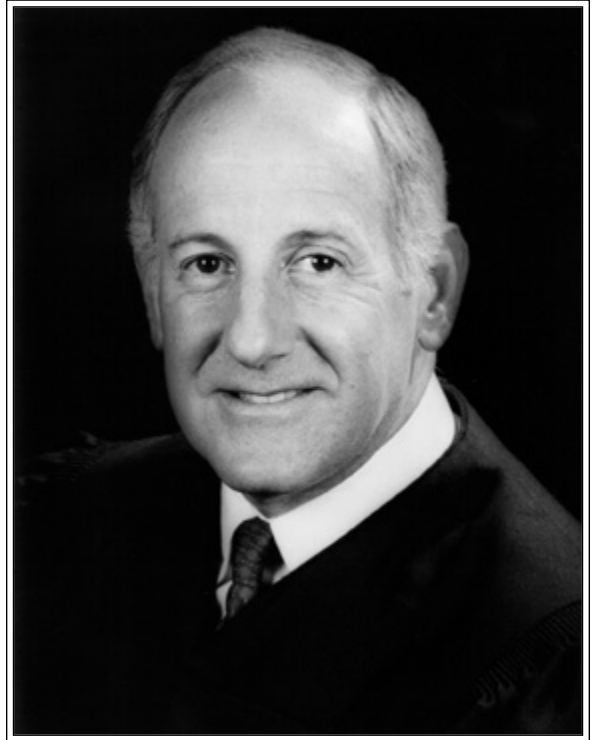
Embracing retirement with the same vigor he brought to nearly four decades on the bench, Chief Justice Ronald M. George devoted substantial time in 2011 to documenting his career in an extensive series of oral history interviews. Recorded over six months by the Institute of Governmental Studies, UC Berkeley's premier research center on politics and government, the project is part of the ongoing *California Supreme Court Oral History Project* (see Fall/Winter 2008 issue).

In eighteen collaborative interview sessions recorded over dozens of hours, Chief Justice George looked back on his family origins, education, early appellate advocacy, and service at every level of the California judiciary. The conversations explored personal views, philosophies, and methods, delving also into his liaison with courts throughout the state and with all branches of California government. The following biographical summary, which will appear in expanded form as part of the forthcoming oral history in late 2012, conveys the project's broad scope and valuable contributions to the historical record.

★ ★ ★

CHIEF JUSTICE RONALD M. GEORGE was born in Los Angeles in 1940. Although he and his younger sister were educated in the Beverly Hills public schools, in the 1950s they twice spent a full school year abroad at the International School in Geneva, Switzerland, receiving all instruction in French. After graduating from Beverly Hills High School, Ronald M. George took a bachelor's degree at Princeton's Woodrow Wilson School of Public and International Affairs and — disillusioned with his intended career of State Department diplomat — returned to California to pursue a law degree at Stanford.

Hired out of law school by Attorney General Stanley Mosk in 1964, he became a deputy attorney general in Los Angeles, specializing in representing the State of California in criminal matters on appeal. He appeared before the U.S. Supreme Court in six oral arguments, including the initial lead case on the constitutionality of the death penalty (*Aikens v. California*, 1972, mooted by *People v. Anderson* and replaced by *Furman v. Georgia* as lead case). He argued before the Califor-



RONALD M. GEORGE,
CHIEF JUSTICE OF CALIFORNIA, 1996–2011

nia Supreme Court in eleven cases, including *People v. Anderson* and *People v. Sirhan Sirhan*, both in 1972. He also handled more than 100 appeals and writs before the U. S. Court of Appeals for the Ninth Circuit.

In 1972 Governor Ronald Reagan appointed him to the Los Angeles Municipal Court, where he later served as supervising judge of the West Los Angeles branch and of the criminal courts division, an assignment interrupted in 1977 when Governor Jerry Brown elevated him to the Los Angeles Superior Court. There Judge George presided over the notorious Hillside Strangler case, rejecting District Attorney John Van de Kamp's motion to drop charges against the defendant, Angelo Buono. After a trial lasting a record-breaking two years and two days, Buono was convicted of nine murders.

In 1983, while serving as president of the California Judges Association concurrent with the Hillside Strangler trial, Judge George was named supervising judge of the superior court's criminal division, serving also as

*Project Director, Institute of Governmental Studies at UC Berkeley.

ex officio on the court's executive committee. In 1985 he requested and was granted reassignment to the civil division, where he tried cases and served on the mandatory settlement panel.

In 1987, Governor George Deukmejian nominated Judge George to succeed Associate Justice John Arguelles on the California Court of Appeal for the Second Appellate District, and in 1991 Governor Pete Wilson elevated him to associate justice of the California Supreme Court. Upon the retirement of Chief Justice Malcolm M. Lucas in 1996, Governor Wilson again turned to Justice George, nominating him as the twenty-seventh Chief Justice of California.

Just two weeks after taking the oath of his new office, Chief Justice George announced in his first State of the Judiciary address to the legislature that he would visit court facilities in each of California's fifty-eight counties, which he did in a single year. Those visits, completed in August 1997, had both immediate and lasting effects on Chief Justice George's views of, and advocacy for, a fully independent co-equal judicial branch of California government. Within the California Supreme Court, throughout the state judiciary, and in the executive and legislative branches in Sacramento, he expounded on the principle that full access to justice must, under the state Constitution, extend to all Californians, not only in name but in practice.

Walking the halls of the Capitol so often that Senate President Pro tem John Burton quipped that he should register as a lobbyist, Chief Justice George worked with all branches of government and with a wide array of "justice system partners" — the State Bar, counties, judicial organizations, civil plaintiffs' and defense groups, as well as prosecution and defense counsel groups — to pursue major reforms: the Trial Court Funding Act of 1997; voluntary unification of municipal and superior courts in each county (effectuated by constitutional amendment in 1998); and the Trial Court Facilities Act of 2002, which transferred more than 500 county court facilities to state ownership and management, an undertaking eventually supplemented by a separately won \$5 billion revenue bond to enable the construction and renovation of court facilities.

Coordinating all efforts with the Judicial Council and its Administrative Office of the Courts, Chief Justice George also pressed for jury reforms, obtained funding to increase judicial salaries, and worked to establish new judgeships and uniform filing fees. Through it all, he carried his one-seventh load of cases on the California Supreme Court itself, steadfastly insisting that his judicial duties, including the writing of opinions, were his favorite part of the job. Indeed, his judicial robe — a gift from his colleagues in the attorney general's office when he first took the bench

in 1972 — always hung in full view in his chambers unless he was wearing it.

Although the decisions of the George Court did not consistently attract ideological labels or yield predictable voting patterns, Chief Justice George himself often held the center of the seven-member panel, authoring and casting deciding votes in such key cases as the 1997 rehearing of *American Academy of Pediatrics v. Lungren*, which reversed, on the basis of privacy provisions of the state Constitution, the California Supreme Court's own prior ruling requiring parental consent for minors seeking abortions.

In the most closely watched decision of his tenure, Chief Justice George in 2008 authored and carried the 4-3 vote on *In re Marriage Cases*, which reversed a court of appeal decision to hold that Family Code provisions defining marriage as "between a man and a woman" violated the constitutional right of all Californians to marry. Known as a conservative jurist on criminal matters and a moderate on civil issues, he assigned the *Marriage Cases* and certain others to himself on the grounds that, as Chief Justice, he should have the "broad shoulders" to withstand criticism of the court for rulings on controversial issues.

Ever mindful of judicial ethics and discretion, Chief Justice George nonetheless spoke publicly about matters that in his view stymied the California Supreme Court's ability to uphold its constitutional responsibilities. Citing the backlog, inefficiencies, delays, and spiraling costs of administering capital punishment, he famously told the *New York Times* in 2004 that a death row inmate in California was more likely to die of old age than by execution. He came to favor amending the state Constitution to modify the automatic appeal of death cases to the California Supreme Court by sending a limited number of those cases instead to the courts of appeal. This proposal and others championed by the Commission on the Fair Administration of Justice (2005–2008) have not thus far swayed the legislative and executive branches to enact significant reforms.

Concerned by a sharp decline in civics education, Chief Justice George initiated annual special sessions of California Supreme Court proceedings in varying locations around the state, often arranging for high school, college, and law students to observe oral argument and ask questions of the justices. He spoke publicly about the importance of civics knowledge for all Californians, who are called upon to decide statewide ballot initiatives. He served on the steering committee of the "Sandra Day O'Connor Project on State of the Judiciary" at Georgetown University, a three-year public education effort addressing civics and judicial independence.

Chief Justice George announced in July 2010 that he would step down six months hence rather than seek retention for another twelve-year term. After tending to myriad administrative and judicial matters in his final months, he was succeeded in the first days of 2011 by Chief Justice Tani Cantil-Sakauye, who was nominated by Governor Arnold Schwarzenegger for elevation from the California Court of Appeal for the Third Appellate District and approved by voters in the November 2010 general election.

Although Chief Justice George won dozens of awards and honors throughout his career, including induction into the American Academy of Arts and Sciences, he was traveling in Antarctica in December 2010 and did not immediately learn of one of the finest tributes of all: Governor Arnold Schwarzenegger's executive order that San Francisco's Civic Center State Building Complex would henceforth be known as the Ronald M. George State Office Complex in honor of "a superbly effective leader." The complex (the Hiram M. Johnson State Office Building and the Earl Warren Building, both of which retain their individual names) houses the California Supreme Court, the Court of Appeal for the First Appellate District, the state Judicial Council, and the Administrative Office of the Courts, as well as various executive and legislative branch offices.

Although Chief Justice George spent the early months of his retirement traveling, reading, attending cultural events, and visiting with friends, often in the company of his wife Barbara George — former chair of the California Arts Council — and their sons and granddaughters, he also has retained ties with former colleagues from all branches of California government and the U.S. Supreme Court. He continues to promote

civics education and government reforms, both independently and as a member of the Think Long Committee for California. ★

(Excerpted from the forthcoming oral history of Chief Justice Ronald M. George, © 2012 by The Regents of the University of California.)

ACKNOWLEDGMENTS

The oral history of Chief Justice Ronald M. George was made possible by generous institutional support from the California Supreme Court Historical Society and the "Administration of Justice Fund" of the Administrative Office of the Courts.

The project also received notable research funding from private individuals and firms, including (as of November 1, 2011): Cotchett, Pitre & McCarthy LLP; The Shapiro Family Charitable Foundation; and Girardi Keese, as well as generous gifts from Greines, Martin, Stein & Richland LLP; Bingham McCutchen LLP; Farella Braun & Martel LLP; and Willie L. Brown, Jr.

All project supporters will be acknowledged in the forthcoming oral history. Firms and individuals wishing to join this roster may send tax-deductible gifts payable to "UC Regents" to Marc Levin, Associate Director, Institute of Governmental Studies, 109 Moses Hall #2370, University of California, Berkeley; Berkeley, CA 94720-2370, specifying "an unrestricted research gift in support of the oral history of Chief Justice Ronald M. George for the *California Supreme Court Oral History Project* at UC Berkeley's Institute of Governmental Studies."

The project gratefully acknowledges immeasurable assistance at the California Supreme Court from Jake Dear, Chief Supervising Attorney; Beth J. Jay, Principal Attorney to the Chief Justice; and Harold Cohen, judicial staff attorney; and at UC Berkeley from Jack Citrin, director, and the administrative and library staffs of the Institute of Governmental Studies.

CALIFORNIA LEGAL HISTORY ♦ JOURNAL OF THE CALIFORNIA SUPREME COURT HISTORICAL SOCIETY



Order through Hein!

Fill in your collection of

California Legal History

William S. Hein & Co., Inc.

1285 Main Street, Buffalo, New York 14209

Ph: 716.882.2600 ~ Toll-free: 1.800.828.7571 ~ Fax: 716.883.8100

E-mail: mail@wshein.com ~ Web site: www.wshein.com



Subscription Information:

Membership in the Society is open to individuals at the rate of \$50 or more per year, which includes the journal as a member benefit. For individual membership, please visit www.cschs.org, or contact the Society at (800) 353-7357 or 4747 North First Street, Fresno, CA 93726.

Libraries may subscribe at the same rate through William S. Hein & Co. Please visit <http://www.wshein.com> or telephone (800) 828-7571.

Back issues are available to individuals and libraries through William S. Hein & Co. at <http://www.wshein.com> or (800) 828-7571.

**Please note that issues prior to 2006 were published as California Supreme Court Historical Society Yearbook. (4 vols., 1994 to 1998-1999.)*