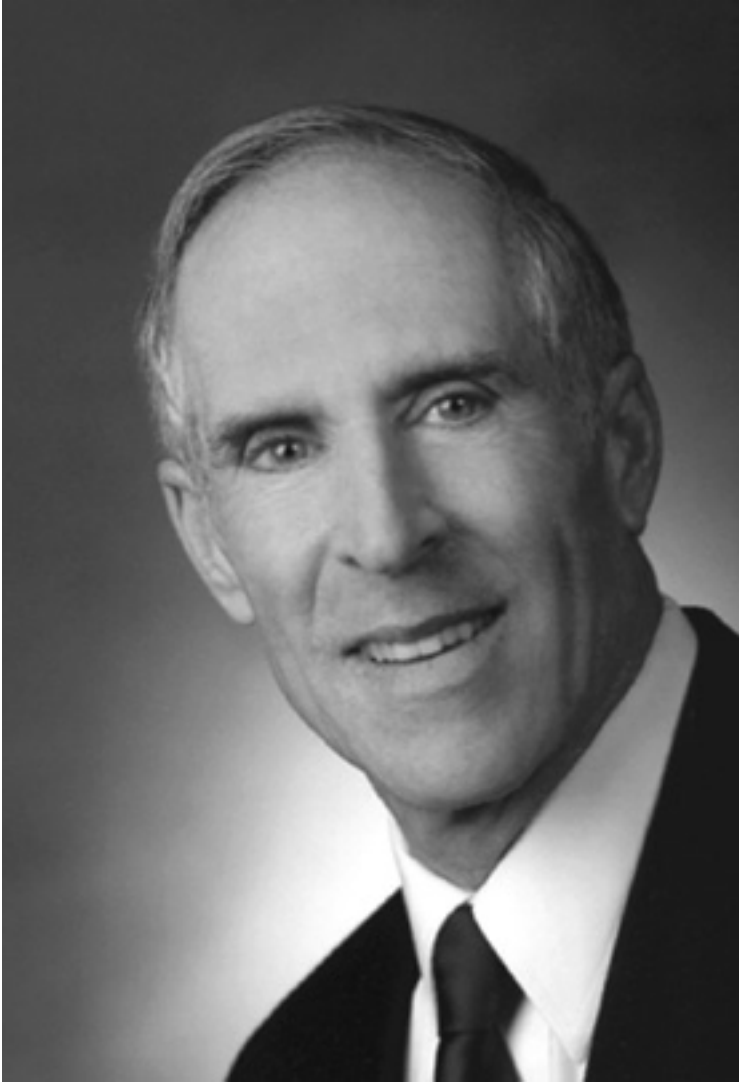


ORAL HISTORY

JUSTICE  
RICHARD M. MOSK

CALIFORNIA COURT OF APPEAL



**RICHARD M. MOSK**  
**ASSOCIATE JUSTICE, CALIFORNIA COURT OF APPEAL**

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*Oral History of*  
**JUSTICE RICHARD M. MOSK**

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*Oral History of*  
**JUSTICE RICHARD M. MOSK**

**INTRODUCTION**

ARTHUR GILBERT\*

I have known Richard Mosk for more than forty years. We met in the early 1970s when Richard represented a large conglomerate corporation and I represented a manufacturer of motor homes, a company that his client had acquired. Our mutual clients were involved in a contract dispute that resulted in a lawsuit. Although the litigation was particularly contentious, Richard and I maintained a high level of civility toward one another from which a friendship developed.

We flew together to Detroit to take depositions at the Chrysler motor car factory. On that flight, I gained insight into Richard Mosk, the person. We were adversaries on the case, but friendly travelers. The flight attendant (in those days, the “stewardess”) spilled a large drink on Richard. He handled the incident with aplomb. This led me to rightly predict that, despite our clients’ rancor, Richard and I would develop a strategy to produce a beneficial settlement for them.

The compelling oral history you are about to read reveals the enduring qualities of Justice Mosk, the distinguished jurist and human being. He is the man who worked on the Warren Commission, the man who chaired

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\* Presiding Justice, California Court of Appeal, Second District, Division Six.

the Motion Picture Association rating system, the man who met world leaders and politicians, the judge who sat on the Iran–U.S. Claims Tribunal at The Hague.

In this brief introduction to the oral history, I will reveal a few of Richard's unique characteristics to demonstrate that even people of profound talent and ability, like Richard, are like all of us, profoundly human.

These days the phrase "eating healthy," whatever its grammatical deficiencies, is *de rigueur*, as Richard counsels his grandchildren in his oral history. Richard has embraced this practice with such ardor and passion that, in comparison, the most famous diet gurus of the day seem like dilettantes. Trial lawyers will learn much about their craft by joining Richard for a meal at a restaurant. His incisive cross-examination of the waiter about the menu will reveal in exacting detail specifically what the waiter does and does not know about ingredients and preparation. And what the waiter does not know, I can assure you he will, before the bill is paid.

A few years ago, Richard and his wife Sandy persuaded my wife Barbara and me to join them and others on a trip around the world in a private jet. The night before we left, Barbara and I went out for dinner. Seated at an adjacent table was past Secretary of State Warren Christopher, a close friend of Richard's. I greeted Mr. Christopher, and told him about our pending trip. A look of apprehension formed on his face, an emotion I suspect he had to mask during international crises. He took hold of my arm and said in a tone he never would have used with difficult foreign leaders, "I hope the chef will be able to accommodate Richard."

Richard's keen interest in healthy food does not detract from his generosity. The foods Richard and I cherish were not always available in far parts of the world, but were for the resourceful Richard. I think it was in Tibet that he miraculously secured bananas and almonds and surreptitiously slipped me half his booty.

He is not sentimental, but it is obvious he is trying to fix up the Goddess of Health and Father Time. If they marry, he would like them to adopt him.

The following oral history is a slow page turner. Slow, because it is engrossing. You will savor the stories Richard relates about his remarkable life and will want to linger on the page. In an engaging style, he reminisces about his friendships and acquaintances with presidents, governors, and ambassadors. He reveals canny political astuteness. He discusses his many

successes with candor and humility. He modestly ascribes to chance many of his accomplishments. If chance has favored Richard on occasion, it was his keen intelligence and extraordinary ability that brought chance encounters to a notable achievement.

After I read this oral history, I called Richard to tell him it was captivating and that I could not put it down. He murmured a barely audible “thanks” and changed the subject.

But on the subject of Richard Mosk, one can say without qualification that he is one of our most respected appellate justices. His opinions are beautifully crafted and shine with lucidity. His style is powerful, yet appropriately restrained. His sense of justice is apparent.

I am fortunate to have known Richard for more than four decades. I admire him for his wit, intelligence, and integrity. For those of you who do not know Justice Mosk, you will get to know him well after you finish the final page of this absorbing oral history.

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*Oral History of*  
**JUSTICE RICHARD M. MOSK**

INTERVIEW BY MATTHEW MOSK\*

Q: Do you have any recollection of your earliest days?

A: I was born in 1939. My parents were living in Sacramento, but my mother took the train to Los Angeles, where I was born. In 1938, my father had been a young campaign worker for Culbert Olson, a state senator, who was a candidate for governor of California, and Olson won. In the campaign, my father worked closely with Phil Gibson, his law school professor and a top advisor to Olson (later chief justice of California). My father went up to Sacramento initially to be the clemency secretary, and then he became executive secretary, i.e., the chief deputy to the governor. I vaguely recall living in Sacramento. Lore has it that from time to time I crawled around the governor's office in the Capitol. Then we moved back to Los Angeles after my father had been appointed to the Los Angeles Superior Court. My father was the youngest Superior Court judge in California history. Because he was young and therefore politically vulnerable as a judge, several candidates ran against him in 1944. I recall his reelection campaign. I used

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\* Justice Mosk thanks his son, Matthew Mosk, an Emmy-winning investigative reporter and producer for ABC News, for conducting this oral history interview in November 2011.

to have to lick stamps to put on the envelopes. It was very stressful for him, because in the primary he did not get a majority, and that was ominous for an incumbent. But he went on to prevail in the final election by a large margin.

My grandmother, my father's mother, Minna, who was a wonderful lady, ended up owning a bookstore in Los Angeles. I don't remember her husband Paul very well. He died relatively young of tuberculosis and other ailments.

Q: Do you remember during his campaigns what that was like? Do you remember seeing his name on billboards or campaign rallies or anything like that?

A: I remember some of the literature. He ran on a ticket with Franklin Roosevelt, as a Democrat — even though he had Republican support.

Q: Did he ever bring you with him? Did you ever go up on the riser with him and your mother?

A: I don't recall him doing so. As to my mother's side of the family, her parents lived in Los Angeles — Max and Katharine Mitchell. Max had owned a business, and he took me to visit his father, my great-grandfather, named Barish, who, I'm told, had been married a number of times without



RICHARD MOSK AT THE AGE OF 2 IN 1941 WITH  
(LEFT TO RIGHT): HIS FATHER'S MOTHER, MINNA; MINNA'S  
MOTHER, ROLLA PERL; AND HIS FATHER, STANLEY MOSK.



getting divorced. I remember Katharine's parents, the Blonds, who lived in a modest apartment in Ocean Park.

Q: They were already also in the United States?

A: Yes. And Max had brought his entire family over from Europe. Some went from New York to Canada, where my mother was born, and then to Los Angeles.

Q: Did they speak English?

A: Yes. I don't remember if Barish did. I think he did speak some. The others did. Max could not write, even though he was running a business.

Q: Do you remember what it was like meeting them? Do you have any recollection of that?

A: No. At the time I suppose, as most grandchildren or great grandchildren, I was not particularly eager to go visit grandparents or great grandparents. But I did go to see them. Just like some of them, I find myself giving unwelcome advice to my grandchildren. I believe my mother and I either lived with them or saw a lot of them when my father enlisted in the Army. When my father was away then, we communicated with him by mail and by recorded phonograph records that were mailed.

Q: Do you want to talk about growing up and what you remember about the Warner Avenue house and what life was like there?

A: My father was sitting as a Superior Court judge (having been reappointed upon returning from the war), and we lived in Westwood on Warner Avenue. I started off at the University Elementary School, which was a lab school for UCLA. I think my father had helped get that funded and established there, probably for my benefit. Then the lab school moved over to UCLA, and Warner Avenue Elementary School was established on the Warner Avenue site, and I went there. I walked to school and played on the playground all the time, something not generally available to kids these days.

My father was quite a sports fan. He took me to the minor league baseball games at Gilmore Field — the Hollywood Stars in the Pacific Coast League — and at Wrigley Field — the Los Angeles Angels — also in the Pacific Coast League. We went to see the Los Angeles Rams and Los Angeles Dons play professional football in the Coliseum and the Los Angeles Bulldogs and Hollywood Bears — minor league football teams — at Gilmore

Stadium. I was a fanatic UCLA rooter. I remember listening to the games on the radio, especially the famous 1947 Rose Bowl. UCLA was undefeated, and wanted to play undefeated Army, but it couldn't because of an arrangement between the Pacific Coast Conference and the Big Ten Conference. So it got the second-rate Illinois team, which proceeded to beat UCLA 45 to 14. Because we did not have a television set, I used to listen to sports events on the radio. I listened to Joe Louis fights and football and baseball games. I heard the Bobby Thompson home run to win the pennant ("shot heard 'round the world") at a recess in Emerson Junior High School with my friend Dick Greene, now a prominent San Francisco attorney.

Q: And you and Stanley shared a lot of your time together through sports?

A: Yes, we went to many athletic and sporting events. He took me to all kinds of sporting events. I remember seeing a Sugar Ray Robinson fight at Wrigley Field, and he even took me to a Mr. America contest and a weightlifting event. We saw soccer, tennis, track and field, and polo — all kinds of sports activities. All this exposure is probably why I got into collecting sports memorabilia, particularly football programs. I also collected stamps and coins and, it seemed, everything else there was.

Q: Comic books.

A: Yes, comic books, which, unfortunately, my mother threw out. She didn't throw the programs away. Somehow they ended up in my uncle's garage, and I retrieved those years later. I continued to add to it, amassing 3,500 programs, some going back into the 1800s. I donated them to Stanford. They will be kept as a collection in the athletic facility under my name. The comic books would probably be valuable today. I read comic books, including classic comic books, which was an introduction to literature.

Q: You have listed here, "father in military." Was this World War II? Do you remember that?

A: Yes. I remember that during the early part of World War II, he was in the Coast Guard Reserve, and he would go out with his binoculars and look for Japanese submarines, or whatever. But as it turns out, I didn't realize it at the time, he desperately wanted to get into the active military because he felt awkward as a young male in public when most young males