



Vitrines in the Earl Warren Building display photographs and memorabilia (ABOVE) from the California Supreme Court's Latino justices. On view until fall 2019, the exhibit is one of several, including one on the Court's women justices (RIGHT), that the California Judicial Center Library has mounted to promote interest in the history of California's courts.

PHOTOS COURTESY CALIFORNIA JUDICIAL CENTER LIBRARY

## Judicial History on Display:

### EXHIBITS ON CALIFORNIA'S REPORTER OF DECISIONS, WOMEN AND LATINO JUSTICES

IT'S EASY TO MISS the seven glass display cases in the Archive Room on the first floor of the Supreme Court's headquarters in the Earl Warren Building at San Francisco's Civic Center. The area is intentionally lit dimly, and members of the public as well as lawyers with business before the courts can easily miss the vitrines as they hurry past.

But the exhibits on view there and in the nearby Clerk's Office are worth a stop.

The Archive Room currently showcases the four Latino justices who served as or are currently associate justices of the California Supreme Court: Former Justices Cruz Reynoso, John A. Arguelles, Carlos Moreno, and present Justice Mariano-Florentino Cuéllar. Opened in September to coincide with Latino Heritage Month, the exhibit features photos, biographical information, publications and some memorabilia from the four justices. The display will remain on view until fall 2019.

Other recently installed exhibits celebrate, respectively, the women justices of the Supreme Court, and the history of California's reporters of decisions — the latter who have been critical but generally unacknowledged players in the state's legal history.

The changing exhibits are the work of the Special Collections & Archives staff at the California Judicial Center

Library, including Law Librarian and Archivist Martha Noble and Donna Williams, director of the center's library.

New acquisitions often inspire these exhibits. Others have been designed to commemorate anniversaries, or scheduled to coincide with other events or observances.

The displays are an opportunity for the Library's Special Collections & Archives staff "to share selections from our holdings with the public, and promote an interest in the history of the courts," Noble said.

The reporter of decisions exhibit, "In Writing With Reasons Stated," nicely illustrated that public education mission.

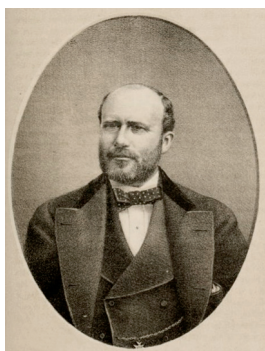
California's first Constitution, adopted in 1849, directs the Legislature to provide for the "speedy" publication of these decisions and the state's current Constitution requires that the decisions of the Supreme Court and Courts of Appeal that determine causes "shall be in writing with reasons stated."<sup>1</sup>

The reporter and his staff now oversee the preparation and publication of all Supreme Court decisions and all published Court of Appeal decisions in the *Official Reports* and post all appellate decisions — including "unpublished" decisions — on the judicial branch's website.

Among the 25 men who have held this position since 1850 (no women have held the position to date), were



rogues, some characters and one of the state's premier scholars of California law.

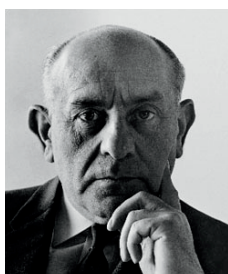


William Gouverneur Morris (LEFT), for example, served as reporter during 1855, then in the Union Army during the Civil War. In 1869, having returned to California, Morris was named United States Marshal for the District of California.

Gov. John B. Weller appointed Harvey Lee as reporter in 1858 but Lee's

work was poor, and an effort was made to repeal the law that authorized gubernatorial appointment of the reporter.<sup>2</sup> Lee expressed his displeasure with the repeal effort to Charles S. Fairfax, the clerk of the Supreme Court. Fairfax reportedly was insulted by Lee's language and a fight ensued. Lee attacked Fairfax twice with his swordcane, inflicting serious harm. Fairfax drew his pistol as Lee attempted a third strike but ultimately held his fire. Lee was soon replaced by John Harmon in 1859.

Bernard Witkin (RIGHT), a legend in California law, was appointed the 21st reporter in 1940, a position he held until 1949. Witkin, of course, is best known for his highly-regarded treatises on California law, volumes that have been cited more than 20,000 times in decisions of the California Supreme Court and Courts of Appeal. He also authored the first edition of the *California Style Manual*, in 1942, and helped



draft the Judicial Council Rules on Appeal. Before he was appointed reporter, Witkin was "law secretary" (in other words, staff attorney) for Associate Justice William B. Langdon and Chief Justice Phil B. Gibson.

One of the longest-serving reporters was Edward W. Jessen, who held the position from 1989–2014. He was also a member of the editorial task force appointed by the Judicial Council to rewrite California's Rules of Court pertaining to the appellate process.<sup>3</sup> Lawrence Striley (SEE ARTICLE, PAGE 13) took over as California's current reporter of decisions when Jessen retired.

The display in the Office of the Clerk of the Supreme Court, concerning the seven women who have served on the high court, entitled "Voice and Vision," is on view through March 2019. This exhibit is focused on Chief Justices Rose E. Bird and Tani Cantil-Sakauye, and Associate Justices Joyce L. Kennard, Kathryn M. Werdegar, Janice R. Brown, Carol A. Corrigan, and Leondra R. Kruger. It includes biographical information, photographs, certificates and publications by and about each justice. A previous editor of this newsletter described these justices as "an extraordinary group of highly intelligent, extremely hard-working, fiercely independent lawyers who are blessed with astonishing reserves of stamina."<sup>4</sup> ★

#### ENDNOTES

1. California Const., article VI, section 14.
2. Currently the Supreme Court appoints the reporter of decisions.
3. See also, Edward W. Jessen, "Headnotes About the Reporters, 1850–1990," *CSCHS Newsletter*, Spring/Summer 2007, 1, 5–8.
4. Ray McDevitt and Maureen R. Dear, "A Salute to the Women Justices of the California Supreme Court," *CSCHS Newsletter*, Spring/Summer 2013, 2–7.

— M.S.