throughout her life. Because her value system, her life, and her relationships with others are all involved in any determination she makes, a woman’s right to decide for herself without the interference of the state is central in a free society.

The Budget Act limitations are all the more troublesome because they result in increased health hazards to the indigent. By disallowing the funding for most abortions, the state leaves the pregnant woman to carry an unwanted pregnancy to term or encourages her to abort without medical assistance. Thus, the funding restrictions inject a coercive financial incentive that forces the individual to accept the state’s choice of either contraception or childbirth. It forces the indigent woman to exercise her choice in the fashion advocated by the state.

The Budget Act restrictions impermissibly limit the constitutionally protected choice of our female citizens. The state’s attempt to justify these limitations as noncoercive is illusory. “When we take our seats on the bench we are not struck with blindness, and forbidden to know as judges what we see as men [and women].” As judges and as citizens, we cannot fail to see that if the state is allowed to restrict the exercise of choice for the poor alone in this intimate area, indigent women in our society are forced to become second class citizens.

Rose Elizabeth Bird lived a paradoxical life. A deeply private person, she was thrust into the glare of the public spotlight. Her public persona was strong and self-assured, but internally she was plagued by self-doubt and feelings of inadequacy. She seemed to personify the ideal of an independent single woman professional, yet she longed for a conventional family life. But one thing is certain: she will, and should be remembered and celebrated for the champion of justice and equality, and of fidelity to precious constitutional liberties, that she embodied.

Robert Vanderet is a Los Angeles Superior Court judge assigned to the Foltz Criminal Justice Center in Los Angeles. He was appointed to the bench by Governor Arnold Schwarzenegger in 2008.

8. One final note: During Rose Bird’s tenure at the Agriculture & Services Agency and at the California Supreme Court, her closest aide, confidante, and friend was Steve Buehl, another former student of hers at Stanford Law School. Following her death, Steve has worked tirelessly to protect her legacy. I admire and thank him for those efforts. My commitment here, however, has been to the open truth and all its ramifications, whether positive or negative. To the extent that anything I have written causes him offense or sadness, I sincerely apologize.

California’s Newest Supreme Court Justice: Kelli Evans

In November 10, the Commission on Judicial Appointments confirmed Kelli Evans as an associate justice on the California Supreme Court. A graduate of Stanford University and UC Davis Law School, Evans has broad legal experience with a focus on civil rights and social justice.

Prior to her appointment to the Supreme Court, Justice Evans served as an Alameda County Superior Court judge. Before joining the bench in 2021, she was Governor Gavin Newsom’s chief deputy legal affairs secretary.

Evans had been associate director of the ACLU of Northern California, where she earlier served as an attorney. In addition to experience in private practice, Justice Evans practiced in the Civil Rights Division of the U.S. Department of Justice and as an assistant public defender at the Sacramento County Public Defender’s Office. She also served on federal court-appointed monitoring teams for the Oakland and Cleveland police departments.

“Throughout her career, Judge Evans has dedicated herself to helping all Californians have an equal chance at justice,” Governor Newsom said when announcing her appointment in August. “Raised by her grandmother in public housing, Judge Evans was inspired from a young age to find ways to help expand justice and opportunity for everyone, especially marginalized and vulnerable communities.”

Evans fills a vacancy created by Newsom’s promotion of Associate Justice Patricia Guerrero to chief justice.

Evans and her wife, Terri Shaw, have a daughter in college and live in Oakland. The Review will publish a personal profile of Evans in the Spring/Summer issue.

— Molly Selvin, Review Editor