

California's New Chief Justice: Patricia Guerrero

BY HON. JUDITH MCCONNELL

WHEN JOSH GROBAN, then Governor Jerry Brown's judicial appointments secretary and now Justice Joshua Groban, called me in 2011, he wanted to talk about Patricia Guerrero, who had applied for appointment to the San Diego Superior Court. We chatted about her great academic credentials and her success as a partner at a major law firm, but Josh was interested in learning more about her participation in the diverse bar associations in San Diego. I had never met her but was happy to have lunch with her and we met at a downtown restaurant.

Known as Trish, she was dignified and reserved but very engaged. Because Jerry Brown was highly interested in an applicant's participation in the legal community, I suggested she become more active in both the feminist bar association, Lawyers Club of San Diego, and La Raza bar association. Not long afterward, Lawyers Club announced a program on the importance of diversity in the legal profession and Trish was one of the panelists. Little did I know she had long engaged in substantial community service, working as an advocate for immigrants who needed legal assistance. She served on the Advisory Board for the ABA's Immigration Justice Project to promote access to justice at all levels of the immigration and appellate court system. She also was part of a task force that planned and participated in the Women's Resource Fair to assist underprivileged members of the community. And she provided extensive pro bono services through Casa Cornelia Law Center, overseeing junior attorneys who assisted in immigration matters. She was and is a woman of action and dedication.

I have had the privilege of getting to know Justice Guerrero well over the past five years while working with her as a colleague on the Court of Appeal, Fourth Appellate District, Division One. I was asked by this publication to write about her shortly after she was confirmed as an associate justice on the California Supreme Court. Now that she has been confirmed yet again — this time as the next chief justice to succeed our beloved Tani Cantil-Sakauye — Justice Guerrero's role in the California legal system has become even more significant.

Justice Guerrero is proud to be a child of the Imperial Valley. She grew up in the small town of Imperial, where all three schools she attended were within walking distance of her home. Her paternal grandfather came to California to work odd jobs in the United States while her father and his eight siblings stayed at home in Mexico with their mother. Her father started farming in Mexico to help support the family. When he was 19, his father



Justice Patricia Guerrero at her confirmation hearing for Chief Justice of California, San Francisco, Aug. 26, 2022. Photo: AP Photo/Eric Risberg, Pool.

arranged for him to become a lawful permanent resident of the United States and he came to live in Imperial County. Despite his age, he was placed as a freshman in high school because he didn't speak English and there, he met Trish's mother.

Her mother was born in Tepic, in the western state of Nayarit, Mexico, and was raised in Mexicali. Although she was able to attend Trish's 2017 confirmation hearing after her appointment to the Court of Appeal, she recently passed away. She was one of 11 children. She met Trish's father and married at a young age without finishing high school. But she loved to read and taught her daughters the importance of being strong and independent and to treat others with respect. Both of Trish's parents worked hard — her father cleaned the gym at his school and worked in the fields on weekends. Neither parent was able to finish school — each struggled financially to help their respective families.

Trish's father went on to become a foreman at a local feedlot in Imperial and on weekends he competed in rodeos when he could get sponsors to pay his entry fees. Her mother stayed home to care for her two daughters and to provide childcare for neighborhood children. She stressed to her children the importance of education. After her mother died, Trish found in her mother's belongings her citizenship test, which she had passed with a perfect score. She had never told her children about her achievement. Trish's parents inspired her to believe she could accomplish anything and that looking beyond oneself to the needs of others was simply a way of life.

Trish graduated from her high school as co-valedictorian and went to UC Berkeley. She supplemented her scholarship with earnings from her job at a grocery store. Her success in college led her to Stanford Law School, where she excelled in, among other things, legal writing.



Justice Patricia Guerrero being sworn in to the Fourth District Court of Appeal, Division One (San Diego) on Dec. 14, 2017. *Left to right:* Chief Justice Tani Cantil-Sakauye, then–Attorney General Xavier Becerra, Justice Guerrero’s son, husband, and Justice Guerrero. Photo: *California Judicial Council Staff.*

Upon graduation, she went to work at a major law firm where she had held a summer clerkship. She found her colleagues supportive of her professionally and personally, even when she needed extra time to attend to family. She left the firm at one point to gain criminal trial experience as an assistant U.S. Attorney but returned after a year and a half and soon became a partner.

Appointed to the superior court in 2013 by Governor Brown, she soon became known as an expert in family law, a field that was new to her but which she quickly learned, and soon she was named supervising judge of all the family courts in San Diego. Newly enrobed, Judge Guerrero became active in implementing a more formal training program for judges new to family court. She was regarded as an excellent writer with a great capacity to learn new areas of the law, a hard worker with an analytic mind, collegial and even tempered. She received the highest honors from the family law bar. She always sought a creative way to solve problems. But, of equal importance, she regularly had time for her colleagues, for whom she invariably had an open door. I often saw her at lunch with them in local restaurants, taking a break from their difficult calendars.

When an opening occurred on the Court of Appeal, Trish was the first person I thought of as a possible candidate. After she submitted her application to Governor Newsom and had been vetted by the local committee, I recall meeting with her for snacks after work and discussing her prospects and strategizing.

Not surprisingly, she was quickly elevated to the Court of Appeal, having been found exceptionally well qualified by the State Bar. She was an immediate success. Not only is she smart and hardworking, Justice Guerrero is able to collaborate with people of differing

viewpoints and craft an opinion where there had previously been disagreement. She has a great sense of humor and a talent for picking beautiful shoes — something many of her former colleagues in the Fourth, Division One, appreciate. She loves doughnuts and, despite her obvious skill with the computer, likes to have many documents in paper form.

She also continued her community outreach and has been an active participant in the Judges in the Classroom program, established to help teach students K-12 about the role of courts in our democracy. Justice Guerrero rarely declines an invitation to speak at a school. One of the many students whose lives she has touched said, “I had a wonderful experience and hope to see you again soon. I might want to be a judge too! You inspired me about things I might not have known.” In recognition of her outstanding leadership skills, the chief justice and her colleagues on the Supreme Court chose her to chair the

Blue Ribbon Commission on the Future of the California Bar Exam, an assignment acknowledged as challenging.

In 2021, when a seat opened on the California Supreme Court because of the departure of Justice Mariano-Florentino Cuéllar, there was widespread interest in the appointment of another Latino or Latina. Many looked to Justice Patricia Guerrero. She had distinguished herself on the Court of Appeal, crafting cutting edge opinions in both civil and criminal law cases. Her appointment as the first Latina on the California Supreme Court came as no surprise to me or her other colleagues at the Court of Appeal. All of us are big fans.

When I recently asked how the work at the Supreme Court differed from that at the Court of Appeal, Justice Guerrero commented on the voluminous docket of petitions for review as well as the different way the justices exchange views at the Supreme Court — in the form of detailed written memos.

Now she will have the challenge of leading the largest court system in the United States. Her experiences in leadership — at the superior court as well as on various committees and commissions — have prepared her for this new role. Her advice to new attorneys and judges has been to treat all with respect and civility, an art she has perfected. California and all who come to our courts will be in good hands.

Like most parents, Justice Guerrero juggles work and family obligations. Although two teenage boys are a handful. She fortunately has the loving support of her husband, a school psychologist who is also from the Imperial Valley. ★

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