

GAREN HORST\*

# Reflections on Justice from the Historic Auburn Courthouse

As one leaves the flatlands and congestion of the Sacramento area and travels eastbound on Interstate 80 toward Lake Tahoe, the approach of the old gold rush town of Auburn in the Placer foothills transports you almost into another time and space. Under the train trestle bridge, past the bend in the road, and beyond the statue of the miner panning for gold, stands the Historic Courthouse stoically upon the hilltop. After more than three decades of making this drive, I have yet to tire of this majestic site. Perhaps my appreciation derives from the accumulation of stories and experiences through my years practicing law in its courtrooms, but since presiding there as a judge my appreciation has run deeper. For me, and many in the community, the building represents a sense of shared history and justice that will continue long past my temporary passing through its halls.

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\* Judge of the Superior Court, County of Placer, handling a variety of assignments and at present presiding over multiple calendars, including mental health and felony sex crimes. He primarily sits at the Historic Courthouse in Auburn, presiding over jury trials, bench trials, and other long cause proceedings. He is also serving as the Presiding Judge of the Appellate Panel for Placer County. He served on the Court of Appeal, Third Appellate District, as an Associate Justice Pro Tempore for a portion of 2023. In that capacity, he authored opinions encompassing a wide array of California law and participated in several other cases as a panel member. Judge Horst is a judicial instructor for the California Center for Judicial Education and Research (CJER) and served on the curriculum development committee for the New Judge Orientation Program.



*Historic Auburn Courthouse (Photo by Garen Horst)*

At the time it was built in the late 1890s, the architectural beauty of our Historic Courthouse was renowned throughout the state. The structure was designed by John M. Curtis of San Francisco, the partner of architect Albert Bennett, who had worked on the California State Capitol and was known as the creator of the “capitol” style courthouses that included a dome. Curtis’s own claim to fame included the original domed City Hall of San Francisco, which was later destroyed by the 1906 earthquake. Much of the material used to construct our Historic Courthouse came from local Placer County sources, including the gray granite from quarries in Rocklin and the pressed brick and terra cotta from the pottery of the Gladding McBean Company of Lincoln. Additionally, marble for the stairs came from Colfax and lumber and lime came from various other parts of the county. The building ultimately cost \$173,583.55 to construct and furnish by the time of its opening in 1898.<sup>1</sup>

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<sup>1</sup> The Placer County Museums, *The Historic Courthouse*, 2020. The sum of \$173,583.55 is the equivalent of approximately \$61 million in 2024. (See “[Purchasing Power Today of a US Dollar Transaction in the Past](#),” *MeasuringWorth*, 2025.) For comparison, the recent renovation of the Courthouse in 1990 cost \$6.8 million, equivalent to about \$28.3 million in 2024 dollars.



*Our Historic Courthouse, circa 1905 (Placer County Museum)*

The Historic Courthouse was really Placer County’s third courthouse. Auburn was originally part of Sutter County until it became the county seat of Placer in 1851. The first Placer courthouse was located in Old Town Auburn and built with canvas and wood. The second courthouse opened in 1853 on our current site of the Historic Courthouse, atop the hill on Court Street overlooking Old Town Auburn. The Placer Jail stood as a separate building next to the old courthouse, with an iron bridge connecting both buildings for forty years. In 1890, the Placer County Board of Supervisors decided to submit for approval to the voters of Placer the issuance of \$150,000 in bonds for the construction of a new courthouse.

The honor of laying the first stone for the new building was given to the county’s sole Superior Court Judge, James Prewett, who had been elected to the bench in 1890 and served in that position for over thirty-one years.<sup>2</sup> In addition to being a highly respected jurist, he was also a reputable historian, inventor, chemist, and linguist who could converse in Spanish, French, and Chinese. On July 4, 1894, the Honorable Judge Prewett stated these enduring words: “[w]e today lay the cornerstone of a grand structure that is expected to endure until our children’s children shall have turned old and gray and passed away into the great beyond.”<sup>3</sup>

<sup>2</sup> At that time, Judge Prewett had one of the longest uninterrupted terms as Superior Court Judge in the state. In addition to his duties on the Placer Court, he travelled to other counties when they needed another judge to hear cases. He also sat on assignment for the Courts of Appeal. (Lardner & Brock, *History of Placer and Nevada Counties* (Historic Record Company, 1924), 265–67.)

<sup>3</sup> Remarks delivered by Judge Prewett on July 4, 1898 (“Auburn’s Celebration,” *Placer Herald*, July 9, 1898).

The new facility was originally designed to handle most of the county's business. The first floor housed the county jail, and the offices of the Sheriff, Coroner, Tax Collector, Treasurer, and Surveyor. The second story housed offices for the District Attorney, Recorder, Assessor, the Superintendent of Schools, and a jury room. The third floor housed one large courtroom, the judge's chambers, a library, the Supervisor's Room and the Office of the County Clerk. The fourth floor was used to store old books and records.

On July 4, 1898, four years after the laying of the first cornerstone, the new "Historic" Courthouse opened to great celebration amidst a grand parade, hot-air balloon, and parachute jump. Judge Prewett affectionately and eloquently addressed the town, giving a history of Placer County and its previous courthouse. He described this "new" courthouse as follows:

This grand building is one of the finest courthouses in the state, and it is a credit not only to the county but the state itself. Several are larger, but none can excel in fine artistic effect. . . . It is our Temple of Justice, our repository of titles, the fortress of our personal and property rights, the fountain head of our school system, the registry of our births, marriages and deaths, and its inmates stand guard by day and by night over the peace and good order of our communities.

He ended the dedication with these words of hope that can still serve as inspiration for us today:

And today, standing in the bright sunlight of liberty, thankful for the blessings of civil and intellectual freedom that we enjoy, reverently kneeling at its foundations, in the name of Almighty God, in consecration to our people and our homes, we dedicate this magnificent structure to Justice, Honor, and Truth. And as the rays of thy glorious sun shall shine upon it in splendor and glory, may also the light from its lofty tower suffuse the land about with the royal beams of equal and exact justice to all men.<sup>4</sup>

### **A Courtroom for the Ages**

When the Historic Courthouse was dedicated in 1898, there was only one functioning courtroom which is now known as Department Four. Although it was reconfigured during the renovation and restoration of the 1980s, it still retains some of its original splendor with its high ceilings, crown molding, and replica hanging light fixtures. The judge's bench was originally on the east side of the courtroom, with the judicial chambers in the area of the current third-floor jury assembly room. The jury box was in the location where the judge sits

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<sup>4</sup> *The History of the Placer County Court, Judicial Biographies*, Volume 2, by Lori Smith, Court Historian.

now, and jurors deliberate currently where there used to be a law library. The grand and expansive courtroom, measuring almost sixty by forty feet, had a large brick fireplace opposite the judge’s bench and behind the seating.<sup>5</sup> Judge Prewett, as the first judge to ever sit in this courtroom, described it as being “distinctly the most beautiful courtroom I have ever seen.”<sup>6</sup>

Throughout its over 120 years of existence, some of Placer County’s most notorious cases have been heard within these walls. In my legal career as a prosecutor, I often brought cases into this department; the most infamous was *People v. Mario Garcia*, which involved the tragic death and disappearance of a young woman named Christie Wilson. While the case was tried in Sacramento County with a change of venue, the case began in this department with the preliminary hearing and ended with his sentencing to life in prison in 2007. The case gathered national attention and became Placer County’s first nobody homicide conviction.<sup>7</sup> Thirteen years later, while sitting in Department Four as a judge, I received an emotional call from the lead detective in the *Garcia* case during a court break. They had finally found Christie Wilson’s body that had been buried on the defendant’s former property.<sup>8</sup>

Arguably the most infamous and influential case that happened in the original courtroom occurred during its infancy—the 1905 murder trial of Adolph Weber.<sup>9</sup> The Weber family owned the Auburn brewery and was prominent in the Auburn community at the turn of the century. On a November evening in 1904, the Weber home became engulfed in flames. As the townspeople of Auburn ran to the home to extinguish the fire, they discovered the Weber matriarch Mary and her daughter Bertha shot and killed. The young son Earl was bludgeoned and died shortly after being removed from the burning home. The body of the patriarch Julius was later found in the ruins, having been shot while on the commode. The only surviving person was

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<sup>5</sup> Prior to the renovation in the 1980s, the courtroom had been divided to create an office that is now the judge’s chamber. The space contains its own ceiling and from the courtroom it appears as if there had been a mezzanine over this space from which spectators could view the proceedings. There are no historical plans or photos showing a mezzanine, but its appearance adds to the historical folklore.

<sup>6</sup> *Placer Herald*, July 9, 1898.

<sup>7</sup> *People v. Garcia* (2009) 90 Cal. Rptr. 3d 440, previously published at 171 Cal. App. 4th 1649 (Review Denied and Ordered Not to be Officially Published, June 10, 2009). The Honorable Larry D. Gaddis presided over the trial. He began his tenure on the bench in 1988 after being elected to Municipal Court, and later was appointed to Placer Superior Court, where he served as a superior court judge until his retirement in 2012.

<sup>8</sup> “‘A Day of Peace’: 15 Years After Her Disappearance, Christie Wilson’s Remains Found by Placer Deputies,” by Sam Stanton, *Sacramento Bee*, August 25, 2020, p. 3A. Mario Garcia died later that year in prison on Christmas Eve, 2020. On August 12, 2021, Investigators Don Murchison (retired) and Lieutenant Nuno Tavares (retired) received the award for outstanding investigation from the International Homicide Investigators Association in Washington, D.C. For an excellent account of the recovery of Christie Wilson’s body, listen to the podcast “Inside the Crime Files with Anne Marie Schubert—The Disappearance and Murder of Christie Wilson,” by Anne Marie Schubert, February 4, 2022.

<sup>9</sup> *People v. Weber* (1906) 149 Cal. 325.

the 20-year-old son Adolph, who was walking around town when the fire was discovered. The following day he was arrested for the crimes and charged with the murder of his mother, despite his maintaining innocence and the lack of any direct evidence tying him to the murders.

The case was so sensational that it was followed in other parts of the state, country, and even abroad. The jury trial lasted a month during the winter of 1905 in the original courtroom before Judge Prewett. The lynchpin of the prosecution's case came with the surprise testimony of Henry Carr, who testified that he sold the alleged murder weapon found in the Weber barn to young Adolph the summer before the murders. The jury deliberated for twenty-one hours and thirty minutes and took seven separate ballots before convicting him of first-degree murder. "Justice" was swift in those days. Adolph, who maintained his innocence throughout the proceedings, was sentenced to Folsom Prison and hanged in 1906. An original newspaper article of his initial sentencing to death is framed and on display in the courtroom in Department Four.<sup>10</sup>

Adolph Weber, with his family resources, was able to mount a vigorous appeal. The case was heard and decided the following year by the California Supreme Court. The High Court upheld Judge Prewett's legal rulings and found that Adolph received a fair trial.<sup>11</sup> There was a stinging dissent by Chief Justice Beatty, who believed there were serious problems with the prosecution of the case and the defendant's right to a fair trial:

The murder of the Weber family was one of those atrocious crimes which always arouse an intense desire to discover the perpetrator, and bring him to justice. Such a state of feeling pervading a whole community increases the danger that one upon whom suspicion first happens to fall may be convicted upon evidence which, in cases of a less aggravated character would not be deemed thoroughly satisfactory proof of guilt. This fact makes it peculiarly the duty of the courts in such a case to enforce with scrupulous care every right which the law accords to persons accused of crime—rights accorded not for the purpose of screening the guilty, though capable at times of being perverted to that end, but solely in order to guard, as far as may be consistent with the practical administration of

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<sup>10</sup> I have my friend and former supervisor at the Placer District Attorney's Office, Tom Beattie, to thank for this great find. An Auburn resident gave it to him after cleaning out his attic. On the front page was an article entitled "Must Suffer the Death Penalty, Judge Prewett Pronounced Sentence on Adolph Weber Last Thursday," *Placer County Republican*, dated April 20, 1905.

<sup>11</sup> The *In Bank* decision was written by Justice Henshaw, and joined by Justices Angellotti, Sloss, and Lorigan as well Justice Cooper, sitting pro tempore from the Court of Appeal. Justice Cooper filled in for Justice McFarland, who according to the decision notes, was unable to act. Before ascending to the California Supreme Court in 1886, Justice McFarland had been a Judicial District Court Judge of an area that comprised Placer County from 1864 to 1872.

justice, against the danger of convicting the innocent. I cannot persuade myself that on the trial this defendant's rights were duly preserved.<sup>12</sup>

Chief Beatty described the case against Adolph as wholly circumstantial and rested in large part on the testimony of Henry Carr. Because this important witness had not testified before the grand jury, had been purposefully withheld from the defense before trial, and not even mentioned during opening statement, he argued that the defense had no meaningful opportunity to defend against the evidence with any rebuttal or impeachment type evidence. According to the Chief Justice, even though the law at the time technically only required disclosure of grand jury witnesses and their statements, such withholding violated the spirit of the law: "The policy of these laws is evidence, and they are in the interests of justice. It does not accord with our ideas of justice, and has no tendency to promote its ends, to keep the most important witness against the prisoner in ambush until the moment when he is called upon to make his defense."<sup>13</sup>

Chief Justice Beatty's eloquent defense of the rights of defendants and ideas of justice fell on deaf ears with his colleagues but was ultimately born out with a change in the law, requiring disclosure of such information by the prosecution.<sup>14</sup> It was the fact of Weber's conviction, however, that had an immediate consequence on the evolution of California law. The case received infamy and large amounts of press due to the popular indignation regarding the injustice that a person like Adolph Weber would be able to inherit money after killing his family. In 1905, Civil Code section 1409 was adopted, stating "No person who has been convicted of the murder of the decedent shall be entitled to succeed to any portion of his estate."<sup>15</sup> The irony for the Weber case is that at the time Adolph's estate was probated, and all expenses were paid, including attorney fees, his estate was only valued at \$3,700, down from almost \$74,000 at the time of the murders.<sup>16</sup>

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<sup>12</sup> *Weber*, *supra* note 9, at 351.

<sup>13</sup> *Weber*, *supra* note 9, at 352–53.

<sup>14</sup> *See, e.g.*, Penal Code section 1054, et seq. My study of this case inspired a program for the Placer County Bar Association presented in 2022, entitled "Did Adolph Weber Receive a Fair Trial—Lessons on Justice from Placer County's Most Infamous Case."

<sup>15</sup> *See Estates of Ladd* (1979) 91 Cal. App. 3d 219.

<sup>16</sup> Lewis J. Swindle, *The Story and Trials of Adolph Julius Weber* (Lewis Swindle, 2002), 282.



*Weber Retrial by Lincoln Law School Students (2023)*

*Print used with permission from the Courtroom Artist, Vicki Behringer*

Almost 120 years after the terrible murders, the Adolph Weber case returned to the same courtroom to be retried by the fourth-year law students from Lincoln Law School of Sacramento. For their final, the trial advocacy classes of 2023 and 2024 were divided into teams to conduct the Adolph Weber Mock Retrial with a clear mission—either to confirm that justice was achieved so long ago, or to right a wrong to exonerate someone falsely accused. The prosecution had to lay all their cards on the table with no surprises, and the students presented their case applying current law. Some dressed as the advocates would have circa 1900; and in one trial the former Sheriff of Sacramento County played Sheriff Keena who investigated the Weber case in 1904. Each Weber trial was different, a product of the quality of both the advocacy and the choices made in presenting their case. However, there was one consistency: the onlookers sitting in as jurors were split as to the proper verdict.<sup>17</sup>

<sup>17</sup> In 2025, the fourth-year law students returned to the courtroom to determine a different issue presented in the *Weber* case: whether he was insane at the time of the murders.

## The Sound of Justice

One late afternoon after court had adjourned, I decided to journey up the metal spiral staircase to the top of the dome within the Historic Courthouse with my judicial colleague and friend, the Honorable Judge Mark Curry.<sup>18</sup> We emerged into a rotunda beautifully lit from natural sunlight, decorated with houseplants apparently tended to by the courthouse bailiffs. As I looked out a window toward the interstate, I saw what appeared to be a bell anchored between two granite columns. On a dare from my esteemed colleague, I crawled out to the bell and gave it a ring. When I came back inside, I looked more closely at the inscription on the outside casing and saw to my horror “Naylor Vickers 1859.” I worried I had just disturbed a historical artifact and had visions of the cracked Liberty Bell in Philadelphia. That evening, inspired by that experience, this “Reflections on Justice” project took root as I began to research and write about our Historic Bell.

The Bell was cast in 1859 by the Naylor Vickers Company from Sheffield, England. The steel bell weighs 500 pounds free of its frame and is 27 inches in diameter. It was purchased originally for the old wooden courthouse in 1859 after the previous bell emitted “mournful sounds from its cracked sides for several months.”<sup>19</sup> It is one of only 242 made and distributed in North America, out of less than 1,000 made by this company. Many of these English bells can be found in churches, universities, colleges, schools, cemeteries, town halls, and museums—but we may be one of only a few courthouses with a Naylor Vickers Bell.<sup>20</sup> In 1897, the bell was loosened from its moorings and placed in the dome of the then newly constructed Historic Courthouse.

The bell is equipped with a wheel that apparently was used with a cable to ring from below. It was known to have a clear, full mellow tone that could be heard at a large distance over the surrounding countryside. When it was first installed in our new and current courthouse in 1897, the local paper declared:

At the third floor of the dome is old bell, which has called so many to the Halls of Justice in Old Placer, perhaps to be tried, to participate in trials, or to receive the verdicts or sentences passed by those sitting upon the luckless person who disobeys our laws.<sup>21</sup>

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<sup>18</sup> Judge Mark Curry was appointed by Governor Arnold Schwarzenegger in 2007 and served the Placer County Bench until he retired from the bench on September 3, 2021. For many years, he presided in both Departments Three and Four of the Historic Courthouse.

<sup>19</sup> *Placer Herald, Placer Argus*, May 28, 1897; October 22, 1859.

<sup>20</sup> Naylor Vickers, Index of Bells.

<sup>21</sup> *Placer County Republican*, October 8, 1897.

The bell was rung like clockwork ten or fifteen minutes before the court started, to provide warning to any attorneys, witnesses, and jurors who were running late. Apparently Judge Prewett, along with Judge Myres who presided in the earlier courthouse, were both sticklers for starting on time. The Honorable Judge Benjamin Franklin Myres, who served as District Court Judge from 1859 through 1884, and as our first Superior Court Judge from 1880 to 1891, was especially prompt and frequently would lose his temper when attorneys ran late. During his first year on the bench, he had a showdown with the sheriff, who was also his bailiff, over the ringing of the bell. During one rainy day, the sheriff neglected to ring the bell on time. Once everyone arrived, and the judge took the bench, he stated “Mr. Sheriff, I can walk a mile and be here on time, and you must ring the courthouse bell at ten minutes before ten, or I will put you in jail.” Judge Myres and Sheriff Boggs glared at each other as court was called to order.<sup>22</sup>

The Bell was also used to announce the jury verdict. According to local folklore, the judge and attorneys used to wait downtown at the saloon until the bell rang informing them that a verdict was reached. Back in those days, juries worked late into the night until they could reach a decision. The rendering of a verdict was a community event in the early years of the Historic Courthouse, and people within earshot would eagerly await the ring of the bell and then walk to the courthouse to witness the drama unfold. For example, when the infamous Weber murder trial finally came to a close in the winter of 1905, the local paper reported the spectacle as follows:

#### BELL SOUNDS WARNING

To-day, at 5 minutes after 2, when the bell rang out in solemn tones, people from all parts of the community hurried toward the courthouse. As the first touch of the bell sounded, Weber, in his prison, said to his guardian, John Adams, “Well, I suppose that means they have come to a verdict.”<sup>23</sup>

Eventually the bell fell out of use despite an unsuccessful attempt to bring back the tradition in 1964 by the Placer County Bar Association.<sup>24</sup> It remained stranded outside by a pillar under the courthouse dome until November 19, 2021, when members of the Bar and Bench gathered in Department Four of the Historic Courthouse to honor the life of a respected and well-liked defense attorney who had unexpectedly passed away. As the master of ceremonies for this solemn event, I arranged with Ralph Gibson, the museum administrator, to ring the bell to commence the service. Ralph graciously agreed to rig a cable

<sup>22</sup> Lardner & Brock, *History of Placer and Nevada Counties* (Historic Record Company, 1924), 132–33.

<sup>23</sup> *San Francisco Call*, Volume 97, Number 85, February 23, 1905.

<sup>24</sup> *Auburn Journal*, March 26 and April 2, 1964.

to the bell and volunteered to stand by and ring it on my cue. We had tested it a few days before on a quiet weekday, and we were able to hear it with the windows open in Department Four. As I asked everyone to take their seats in the courtroom, and texted Ralph to ring the bell. Nothing . . . . I texted him to ring it again, and this time there was a barely audible ringing in the distance, hardly noticed by anyone in the courtroom.

Before I texted him a third time, I made sure all windows were open and asked everyone in attendance for a moment of silence. Finally, we could all hear our Historic Bell as I started the memorial service. I did not anticipate the Friday night sounds of the busy freeway and Old Town Auburn, which drowned out the bell that had once been able to rouse a community to attention. Nonetheless, it served as a meaningful way to begin, and I explained the historical significance of what everyone in attendance had just heard—describing it as our “sound of justice.” Our Historic Bell is now able to be rung again for suitable occasions in the future. For me that “sound of justice” will symbolize more than just the start of court or the taking of a verdict. It will remind me of that occasion in the late fall of 2021, amidst the COVID pandemic, in which defense attorneys and prosecutors gathered in unity in honor of an admired and beloved colleague of our legal community.

### **Historic Hauntings**

Often, I might stay late while working at the Historic Courthouse. Once sundown occurs, the lights left within the building seem to luminesce magically to create an atmosphere where the mind wanders. The lower level of the building functions as a museum; and after dark the historical artifacts housed within are easier to imagine as the reality of our past. The vestiges of the stories told by the walls of the courtrooms become more distinctly heard when there is no one in the building to offer a distraction. At times I might be busy during this quiet time, only to be interrupted by an unknown echo, footstep, or mysterious creak of the door. Invariably, it is only our evening janitor, who on a nightly basis empties the trash, shines the floors, and vacuums the carpets to preserve the interior as both functional and beautiful.

On one such evening close to Halloween, I encountered a man dressed in historic-looking garb on the first floor as I was leaving for the night. It was our Museum Administrator Ralph Gibson preparing to take a group on an evening tour of the Historic Courthouse. On the first floor of the Courthouse, the Placer Museum has restored for public viewing the original sheriff’s office from the early twentieth century, as well as the old vault of the county treasurer’s office, displaying 194.11 troy ounces of unrefined gold mined from Placer

County. Curiously, the treasurer’s office and vault was located right across from the courthouse jail, which is now an exhibition surveying Placer’s history from the early Native American life to the construction of Interstate 80. Placer County has invested in preserving its historical roots; and the first floor of the Historic Courthouse contains one of seven engaging museums in the county.<sup>25</sup>

After introducing myself to what appeared initially to be an apparition, Mr. Gibson informed me of the fall tours he gives annually to talk about historical hauntings. During his guided tour, he informs the patrons that the site upon which the courthouse was built was initially the first official “burying grounds” in Auburn. Although all the bodies were supposed to be removed prior to the opening of the second courthouse in the 1850s, some may still be present on these grounds. In 1888, one was discovered while workers were digging a trench for water lines; and in 1902, a skull was found with money dating sometime between 1700 and 1826.<sup>26</sup> Additionally, on this same site, several people were hanged for their crimes in the yard behind the jail before the Historic Courthouse was constructed.<sup>27</sup> Finally, the Historic Courthouse is home to tragedy of its own—several people had died on the first floor when it housed the county jail; and one little boy, the son of a jailer, fell from the top of the stairs near the dome.<sup>28</sup>

This history creates the aura and environment for stories of hauntings at the Historic Courthouse to materialize and circulate. The museum administrator shares with visitors tales of the sightings of that little boy by bailiffs; and of a custodian who would on occasion smell women’s perfume on the third floor. The custodian once saw the source—a woman wearing a long, old fashioned

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<sup>25</sup> In addition to the Placer Museum at the Historic Courthouse, there is the Gold Rush Museum on Lincoln Way in Auburn; the Bernhard Museum Complex next to the Gold Country Fair Grounds in Auburn; the DeWitt History Museum on Richardson Drive in Auburn; The Griffith Quarry Museum in Penryn; the Forest Hill Divide Museum in Foresthill; and the Golden Drive Museum in Dutch Flat. The county also has an Archives and Collections Facility in Auburn, from which I have drawn upon heavily for this project.

<sup>26</sup> This skull was for a time on display at the museum. (Bryanna Ryan, Curator for the Placer County Archives.)

<sup>27</sup> Bill Summers, a longtime detective for the Placer County Sheriff’s Department, compiled the following list of people hanged either in the jail or jail yard on the current Historic Courthouse grounds:

- *Stephen Bowden Richards*—hanged in 1884 for shooting Thomas Nichols. He was hanged in the jail and his body was displayed for 150 invited witnesses (*Placer Herald*, January 12, 1884, *Placer Argus*, January 17, 1884, *San Francisco Call*, January 12, 1884).
- *Ah Sing*—for the murder of William McDaniel, hanged in the yard of the courthouse in 1867 (*Sacramento Union*, June 29, 1867).
- *Genaro Quintano*, for killing Joseph Reynolds, and *Joseph Maes* for killing Joseph Thomas; both were executed in a “double hanging” in 1860 witnessed by about thirty people in the jail yard (*Sacramento Union*, September 22, 1860, *Placer Herald*, September 22, 1860).

After the Historic Courthouse was constructed, those convicted and sentenced to death were hanged at Folsom Prison.

<sup>28</sup> The child’s name was Leroy Coan, and he was only three years old. He fell to his death within the Courthouse in 1899. On the night of his tour on October 30, 2018, Mr. Gibson encountered a retired sheriff’s deputy who had worked in the old jail behind the Historic Courthouse. As a rookie in 1971, older bailiffs would share stories with him about either seeing or hearing the boy’s ghost on the premises.

black dress and a wide brimmed black hat with feathers who disappeared through a locked door. Museum staff have had their own strange occurrences, which include the smell of cigar smoke at times in the morning upon opening of the old sheriff's office; and a coincidental clap of the shades that happened once upon the mention out loud of Adolph Weber's name.

I cannot personally confirm experiencing any such strange occurrences within this building. However, in my decades of work within its walls, I have many personal stories in each of its departments. Some of those stories reflect triumph, some tribulation. Some of them are celebrations of life, such as weddings and adoptions. Other stories involve crimes showing depravity, death, and the destruction of the human spirit. In my own mind, I can envision the good and the bad still lingering within these halls—I see that beautiful bride walking down the second floor hall to the stairs where I officiated her wedding; and I also can't forget the scene of the defendant being sentenced for murder in the presence of the distraught victim's family. As for me, I need no ghosts to remind me that this place is both hallowed and haunted.

### **Equal Justice for All**

When Judge Prewett delivered his beautiful words about the tower from the courthouse suffusing the land with “with the royal beams of equal and exact justice to all men,” we assume he meant to include women. Regardless of his intent, there were certain glaring inequities in how men and women were treated at the Historic Courthouse. For example, from 1905 to 1940, women prisoners were housed in a small “cubbyhole” under the north steps of the Historic Courthouse, underneath where I sit on the bench now. There was room for only two cots, a wash basin, and an open toilet. According to a 1937 Placer County grand jury report, “the odor [is] quite distressing, and a menace to health. There are no windows. The only light [comes through a] heavy iron screen over a hole in the door. There is no fresh air, sunshine, or exercise for any of the prisoners.”<sup>29</sup>

Every business day, the employees of the Placer Museum open this area for display to the public. Perhaps the most infamous resident of this paltry space was Alma Bell, who was tried in the murder of her alleged lover Joe Armes in 1909. The case was heard by a visiting judge, sitting for Judge Prewett in our Historic Courtroom, Department Four. The jury of twelve men were chosen at an expense to the county of over \$2,000, which cost more than jury selection

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<sup>29</sup> Placer County Museum, “Placer County Women's Jail” by Carmel Barry-Schweyer with Bob and Sharon Balmain and Mary Louise O'Neal. In 1941, a new jail that housed both men and women was constructed behind the Historic Courthouse in what is now the back parking lot.

for the expensive Weber trial heard just a few years earlier. The reason for this, according to the news reports, is that many of the prospective jurors already had an opinion about the case and were sympathetic to Ms. Bell. At the close of the trial, the all-male jury found Alma Bell not guilty by reason of insanity, and she was released from the courthouse jail under the stairs.

For decades later, the courthouse continued to treat women unequally in both incarceration and jury service. Even though the right of women to serve as jurors was secured in California in 1917,<sup>30</sup> women still could not serve as jurors at the Historic Courthouse. The Honorable Justice Keith Sparks<sup>31</sup> described this inequity during his remarks honoring the naming of the Sparks Library, which is located across the street from our Historic Courthouse. Justice Sparks recounted a story from his childhood about his father Lowell Sparks, before his father became a Placer County Superior Court Judge:

While my father was District Attorney, a man was murdered in old town Auburn, not more than a stone's throw from where we are standing now. In those days, once the case had been submitted to the jury for decision, the jurors could not be separated or sent home. And of course the county could not afford to house 12 jurors in the only hotel in Auburn. So, if the jury had not reached its verdict by nightfall, the bailiff trudged up to the attic and brought down 12 cots in the courtroom and resume deliberations as soon as they awoke. Needless to say, there were virtually never any two-night juries in Placer County.

The man my father prosecuted was convicted of murder and sentenced to death. On his appeal to the California Supreme Court, his counsel made only one contention: his client had been denied due process and equal protection because not only were there no women on his jury, there were no women on the entire jury panel from which the jury had been selected.

The high court patiently explained to counsel the conditions that prevailed in Placer County and then opined that it was inconceivable—absolutely inconceivable—that women should be forced to undergo the indignity of sleeping all night on cots with strange men. Under these

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<sup>30</sup> Women in the United States Juries—Wikipedia. Judge Prewett may have helped to draft this law. (Judicial Biographies by Courthouse Historian Lori Smith; *Placer Herald*, July 15, 1922.)

<sup>31</sup> The Honorable Keith F. Sparks served on the Placer County Superior Court from 1977 through 1981, and then on the Third District Court of Appeal until his retirement in 1997. He was one of three judges from Placer County Superior Court to be elevated to the Court of Appeal. The Honorable Richard Sims also served on the Placer Superior Court from 1980 through 1982, and then on the Third Appellate District with his colleague Justice Sparks until his retirement in 2010. The Honorable Justice William Newsom (father of Governor Gavin Newsom) served as a Placer County Superior Court Judge from 1975 through 1978 until he was elevated to the First Appellate District.

circumstances there was no denial of due process or equal protection, the high court declared. Judgment of death affirmed.

I'm happy to report about the great progress the court has made since those bye-gone days. Now women sit on juries as a matter of course and the Superior Court no longer owns even a single cot.<sup>32</sup>

Justice Sparks was referring to the homicide case against Everett Gilbert Parman, who was charged with the murder of George McElroy occurring on July 16, 1938. The defendant was represented by none other than L. De Witt Spark, who was District Attorney Lowell Sparks' reelection opponent. At trial, Mr. Spark argued that the law requiring jurors to be "made of men and women suitable and competent to serve as jurors" was mandatory and that the systematic denial of women deprived his client of due process. The defense lost at trial and ultimately on appeal. The California Supreme Court held that the exclusion of women due to the lack of accommodations at the courthouse did not violate the statute or his constitutional rights. The Court distinguished Parman's case from others in which members of a person's race were systematically excluded. They explained that Mr. Parman's right was for a fair and impartial jury, not to a jury comprised of any particular individuals.<sup>33</sup>

That was one instance where the defense attorney De Witt Spark should have prevailed against his nemesis, then-District Attorney Lowell Sparks. Today, Mr. Parman would have won that argument and been entitled to a new trial. The United States Supreme Court has since made it clear that systematic exclusion of women in both state and federal juries is unconstitutional.<sup>34</sup> We no longer sequester jurors at the courthouse until they arrive at a verdict, creating the perceived problem of men and women jurors having to sleep together in the same area. And, of course, the current jails in both Auburn and Roseville house both male and female inmates, with no difference in treatment. After all, "equal and exact justice" extends to all people regardless of gender.

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<sup>32</sup> Remarks at the Placer County Law Library Renaming on July 2, 2008, by Justice Sparks (pages 5–7).

<sup>33</sup> *People v. Parman* (1939) 14 Cal. 2d 17.

<sup>34</sup> See *Ballard v. United States* (1946) 329 U.S. 187 (holding women cannot be excluded from federal juries in a state (in this case California) where women may serve under state law); and *Taylor v. Louisiana* (1975) 419 U.S. 522 (holding systematic exclusion of women under state law violated the cross-section requirement of the Sixth Amendment). California law now bans such discrimination under Code of Civil Procedure section 204.



*Our Lady Justice (Photo by Garen Horst)*

## Our Lady Justices

Standing dignified over our Historic Courthouse on three separate entrances is Lady Justice, a symbol of fairness and equality taken from the Greek and Roman times. In 1895, before the original dedication of this courthouse, some reportedly “irreverent” workmen constructing the courthouse gave each statue a separate name: *Mary Jane*, *Mary Ann*, and *Ann Eliza*. As reported when they were first installed: “Justice now stands fully equipped in the form of three graceful goddesses, having discarded the old time hoodwinks, are looking everybody in the face, and so frozen in meal that they could not wink at our infirmities if they tried.”<sup>35</sup>

If one walks around the courthouse and gazes at these statues, one might notice that all of them are missing certain items commonly associated with Lady Justice. All three of our Lady Justices do not have a blindfold, which became a common adornment for Lady Justice in the 1500s to 1600s. The blindfold was added to represent impartiality; the concept that justice is blind and to be dispensed without bias, prejudice, wealth, or status. The blindfold as a symbol has since become controversial. Some suggest that Lady Justice, like our own, should be clear-eyed in order to expose and root out bias and imperfections in our justice system.<sup>36</sup>

<sup>35</sup> *Placer Argus*, August 23, 1895.

<sup>36</sup> Judith Resnik and Dennis Curtis, *Representing Justice* (Yale University Press, 2011), 14, 103–05. Perhaps the best critique of the blindfolded justice comes from poet Langston Hughes, who stated that the “Justice’s blindfold hid ‘festering sores / that once were eyes,’ because legal systems failed to confront the injustices of social and political inequalities.” *Id.* at 14.

All three have their left arms bent upwards as if holding something. They are all supposed to be holding the scales of justice; and those scales represent the process of weighing both sides before making a decision based upon the evidence. Reporter Gus Thomson of the *Auburn Journal* once wrote about the missing scales as one of the many mysteries of our colorful courthouse.<sup>37</sup> One can actually see evidence of the scales in an old photograph taken before the courthouse was dedicated in 1898. Who knows what happened to them by the time the courthouse was opened—they could have fallen by windstorm, been taken by theft, or simply lost. When I share this story with jurors serving at our Historic Courthouse, I often joke with them to be on the lookout for our missing scales as they walk through our downtown antique shops.<sup>38</sup>

One of our Lady Justices is missing her sword, which represents punishment. If you look at the two of our statues that have a sword, you will observe that she is holding the sword at rest, in a downward position. I often tell jurors that the direction of the sword symbolizes that power is to be used judiciously, and that punishment only occurs after the weighing of the evidence with due process. As referenced in the book “The Price of Perfect Justice,” by Macklin Fleming, a Goddess of Justice with a sword without scales represents brute force; and one with scales without a sword represents the impotence of law: “The sword and the scales belong together, and the law is in phase only when the power with which the Goddess wields the sword is equaled by the skill with which she balances the scales.”<sup>39</sup> Although our Lady Justices may not be perfect, I tell our jurors that we do our best to represent her principles here in our courthouse.

In 2021, after over 120 years of having only “three” Lady Justices adorn our court, we added a fourth. In my exploration of the history of our great courthouse, I often wondered what happened to our native population who preceded the settlers in the Gold Rush Era. What was their interaction with the legal system and how were they treated? They had a social structure, a rule of law or code to live by, and some way to adjudicate disputes. How did they view justice and what did that concept mean to them?

In an effort to educate myself about the local history involving our Native Americans, I began reading books, articles, and cases on the subject. I had a rude awakening to a different perspective on American history after reading *An Indigenous People’s History of the United States*.<sup>40</sup> I learned about the influence that

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<sup>37</sup> Gus Thomson, “Placer Courthouse Lady Justice Statues in Auburn are Missing Scales,” *Auburn Journal*, February 21, 2016.

<sup>38</sup> They may not have to look much longer. In 2025, Placer County Facilities began work to create new scales.

<sup>39</sup> Macklin Fleming, *The Price of Perfect Justice* (Basic Books, 1974), vii.

<sup>40</sup> Roxanne Dunbar-Ortiz, *An Indigenous People’s History of the United States* (Beacon Press, 2015).

the Iroquois tribe of the Northeast had on Benjamin Franklin and Thomas Jefferson and their views of federalism in the formation of our United States Constitution.<sup>41</sup> In the summer of 2019, I assigned to a bright young student from Granite Bay High school during his summer internship an assignment to research local Native American concepts of justice.<sup>42</sup> He wrote about the Maidu people who existed in Northern California for 2,000 years, and the devastation that befell them as California became a state and Placer County was being formed. I learned about the racist laws that were on the books during the Gold Rush area, including this one: “No Black, or Mulatto person, or Indian, shall be allowed to give evidence in favor of, or against a white man.”<sup>43</sup>

In the spring of 2020, I had the good fortune of having lunch with a nationally renowned artist, Derek Smalling, who had created artwork of a lady justice from a Native American perspective for a federal task force. A local attorney friend of mine had commissioned him to paint a lady justice for her from the Native American perspective to hang in her law office. I envisioned his version of lady justice, and all that it represented, to be painted on the backdrop of an important legal document. After much discussion and searching, I decided upon something specific to California, the Gold Rush era, and the treatment of our indigenous population: the Governor’s Executive Order N-15-19. This Order, signed on June 18, 2019, by Governor Gavin Newsom, formally and for the first time issued an apology by the state of California for the genocide of the native tribes in California during that Gold Rush era.

The painting arrived at my doorstep in December of 2020, rolled up on canvas with the dimensions of 4’ by 6’. Though beautiful, it was too big to be framed and displayed in my house, plus it needed a more fitting and prominent location due to its meaning and significance. I contacted both our Placer County Museum and the Truth and Healing Commission that was established by the Executive Order, and our museum staff immediately seized upon the idea to display the piece in the courthouse. After I had the piece professionally framed, I sent the following words to Supervising Curator Bryanna Ryan in preparation of the display:

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<sup>41</sup> Bruce E. Johansen, *Forgotten Founders, How the American Indian Helped Shape Democracy* (Harvard Common Press, 1982).

<sup>42</sup> A special thanks to Nathan Wong, a soon to be lawyer and aspiring judge.

<sup>43</sup> Section 394 of the Civil Practice Act of 1850. In 1854, the California Supreme Court interpreted this law to apply to Chinese immigrants and reversed a conviction for murder where Chinese witnesses were called to testify against the white defendant. (*People v. Hall* (1854) 4 Cal. 399.) In 1863, the law was amended to read: “No Indian or person having one half or more Indian blood, or Mongolian or Chinese, shall be permitted to give evidence in favor of, or against, any white man.” Even after the Fourteenth Amendment was ratified in 1868, our California Supreme Court upheld the 1863 law, finding that the equal protection clause did not prohibit the state legislature from determining the competency of witnesses. (*People v. Brady* (1870) 40 Cal. 198.)

This artwork was commissioned in 2020 by Placer County Superior Court Judge Garen Horst as a way to celebrate the resilience and culture of our indigenous tribes; and to enhance our understanding of what it means to administer “Justice.” Often Judge Horst relates to trial jurors the symbolism of the three lady justice statues presiding over the three entrances to the Historic Courthouse in Auburn. Those statues symbolize hallmarks of our American Justice system—equality under the law, due process, and accountability. This new lady justice, painted from a Native American point of view, provokes us to think about justice from another perspective, akin to the contemporary restorative and reparative justice movement.

The artist described his artwork as follows:

The Operation Lady Justice Series is a reflection upon the ongoing Department of Interior Bureau of Indian Affairs multi-agency initiative. This operation is named for a painting of its name, focused on violence against women and more precisely Murdered and Missing Indigenous Women (MMIW). The Operation Lady Justice Taskforce has subsequently been renamed to the MMIW Task Force.

It sits atop a copy of Governor Newsom’s Executive Order N-15-19, an Apology to Native Americans for the State’s Historical Wrongs, establishing a Truth and Healing Council. This historic document and the use of the artwork fits within a modern construct of Native American artwork termed Ledger Art. It is used to Affirm, Question, or Reject the primary document and/or what it represents within Indian Country.

The artwork itself shows the Lance as Pen, and Shield with the Interlocking Arms design. This Southeastern design is a conceptual motif of the ideal community: four directions, four people in concert grasping the wrist adjacent reflecting 50% of an individual’s responsibility to the community and 50% to oneself. Thus, implying that both community and individual are the solution.

The statement of this artwork being present within this Courthouse is a splendid example of our Republic addressing its brief history in so rapid a manner. No life is restored; yet we acknowledge in the heart of our Republic—the Courthouse—the harsh recent past and its contemporary effects. It demonstrates a commitment to do better and never to forget.<sup>44</sup>

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<sup>44</sup> I am grateful to Derek Smalling for his fine art and eloquent words, and to our museum curator Bryanna Ryan for encouraging this work to be seen.

In September of 2024, I was able to see my intention for the piece begin to take shape. I often present for our local Placer County Bar Association’s annual conference on different legal topics, and for that fall I co-presented with the Honorable Jack Duran, a tribal judge in various jurisdictions and the Chief Justice of the Oglala Sioux Tribe Supreme Court in South Dakota. The presentation was entitled “Federal Indian Law and Policy and Its Effect on California Law.” It was the first of its kind for our county and embraced by the local bar. I asked Justice Duran to discuss his work as a tribal judge, and we highlighted the similarities he and I both share as judicial officers in the pursuit of justice. That following weekend, in a serendipitous occurrence, the California Judges Association voted to include tribal court judges as members of the organization, recognizing our common issues, litigants, and ethics.

### **The Pursuit of Justice**

As I continue my “Reflections on Justice from the Historic Courthouse,” I recall again Judge Prewett’s eloquent words dedicating our Temple of Justice, calling our Historic Courthouse a magnificent structure to Justice, Honor, and Truth, suffusing the land with royal beams of equal and exact justice. But what is “justice?” It is an amorphous concept that almost defies an exact definition. While true “justice” is much broader than what can be accomplished within the confines of the law,<sup>45</sup> its pursuit is our overriding purpose. As stated by the Founding Fathers of our country: “Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit.”<sup>46</sup>

As members of the legal profession, it is our duty to preserve, promote, and administer justice.<sup>47</sup> Both attorneys and judges take oaths to support the Constitution of the United States and California.<sup>48</sup> The central principle in being a judge and administering justice that guides the canons of judicial ethics is to ensure honesty and integrity in the process of judicial decision-making and the decisions of judges.<sup>49</sup> The roots of this principle can be traced back

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<sup>45</sup> Some of my favorite quotes illustrating this include “Justice, you get justice in the next world. In this world you have the law” (William Gaddis, writer); “Justice is incidental to law and order” (J. Edgar Hoover); “The arc of the moral universe is long, but it bends toward justice” (Dr. Martin Luther King).

<sup>46</sup> Federalist No. 51.

<sup>47</sup> See Business and Professions Code section 6068. The mission of the California State Bar in part is to “preserve and improve our justice system in order to assure a free and just society under law,” and the mission of the American Bar Association is to “be the national representative of the legal profession, serving the public and profession by promoting justice, professional excellence and respect for the law.”

<sup>48</sup> Business and Profession Code section 6067; California Constitution, Article 20, Section 3, par. 1.

<sup>49</sup> Rothman, Fybel, MacLaren, and Jacobson, “California Judicial Handbook,” 4th ed., 2017, section 1.1, pp. 4–5.

to Biblical times, from the Book of Deuteronomy during its discussion of the appointment of magistrates:

They shall govern the people with due justice. You shall not judge unfairly: you shall show no partiality: you shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just. Justice, justice shall you pursue . . .<sup>50</sup>

We in the legal system are guardians of the rule of law, and the above reference repeating justice twice helps remind us that there are two main components of justice to be pursued.<sup>51</sup> The first is the impartial application and enforcement of the law. The second component is rooted in the process by which we arrive at the result. People are entitled to due process under the law; all litigants should expect a forum where they are heard and treated with respect and dignity. We can only have “justice” under the law if both components are pursued.

Sometimes a “just” result under the law does not seem right or even fair. Justice under the law requires us to abide by our oaths both as advocates and judges and follow the law, even if we may not like the outcome. We judges are trained to follow ethical canons that require us to foster respect for the rule of law by applying it with impartiality. We must make our decisions without bias, and based on the facts and the law, not a preordained outcome. We must have the courage to rule regardless of personal consequences or potential backlash. Such courage at times is not easy, but necessary.

Justice in result must be tempered with justice in process. When I was running for judge in 2012, this second component of justice appeared to be the most common area of concern among people I talked to on the campaign trail. People cared less how I would decide a particular issue or case, or how much law I knew. They cared how I would treat people. This lesson has stuck with me. I want all people in my courtroom, from defendants to victims, the attorneys and the parties, to feel they have been heard and shown respect. I may not rule in their favor, but I want my reasons to be transparent and understandable. Administering justice with this in mind not only is required under the Canons of Judicial Ethics,<sup>52</sup> but necessary to foster respect for the rule of law in our community.

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<sup>50</sup> Deuteronomy 16:18-20 (taken from *The Torah, A Modern Commentary* (Union of American Hebrew Congregations, 1981), using the Jewish Publication Society’s English translation. See also California Judicial Handbook, section 1.1, p. 5, quoting same verses with a different translation.

<sup>51</sup> I credit constitutional scholar Erwin Chemerinsky, Dean at the UC Berkeley School of Law for introducing me to this concept.

<sup>52</sup> Canons 2B(3), (4), (5), and (7); California Judicial Handbook, 4th ed., 2017, section 2:40.

Our process must also be fair to all. Those words engraved above our United States Supreme Court, “Equal Justice Under Law,” means that everyone, regardless of wealth, status, gender, race (or other protected category), should have both equal access to justice and be held equally accountable. That doesn’t mean that we cannot exercise mercy when appropriate, and compassion in our application. I am inspired by the work of attorney and author Bryan Stevenson, who stated, “the true measure of our commitment to justice, the character of our society, our commitment to the rule of law, fairness and equality cannot be measured by how we treat the rich, the powerful, the privileged, and the respected among us. The true measure of our character is how we treat the poor, the disfavored, the accused, the incarcerated, and the condemned.”<sup>53</sup>

Since 2018, I have been the judge of Placer County’s Mental Health Court, which occurs one day a week at the Gibson Courthouse in Roseville. Over the last several years we have experienced in California a sea change in how we handle those with mental health challenges when they intersect with the criminal justice system, with a focus on treatment rather than incarceration or conviction.<sup>54</sup> Our mission in this court is “To promote treatment to ensure public safety, increase accountability and education, and lower recidivism of the mentally ill or disabled, and to work toward decreasing the stigma against those who are diagnosed or seeking mental health treatment by increasing acceptance and integration into our community for better long-term outcomes.”<sup>55</sup> My own conceptions of justice have expanded as I have witnessed lives changed for the better as I graduate participants from our program and dismiss their case.<sup>56</sup> Although we have had failures, I have seen access to justice enhanced for so many suffering from mental illness, and accountability achieved in a way that protects public safety and is measured through treatment rather than incarceration.

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<sup>53</sup> Bryan Stevenson, *Just Mercy* (Spiegel & Grau, 2014), 18.

<sup>54</sup> For example, in 2018, the Legislature enacted section 1001.36 to create a program of pretrial diversion for criminal defendants with diagnosed mental health disorders. (Stats. 2018, ch. 34 (Assem. Bill No 1810); Stats 2018, ch. 1005 (Sen. Bill No. 215).)

<sup>55</sup> See [Placer County Criminal Division](#).

<sup>56</sup> Our graduates receive certificates and a challenge coin to inspire a continued journey of health and well-being. The coin has our logo of a California Black Oak Tree, symbolizing fortitude and resilience, along with the words *Community, Accountability, and Wellness*. On the back of the coin, we have the words *Continued success is day by day knowing you are not alone*.



*Placer County Mental Health Court Logo, created by Donovan Horst, used with permission*

Finally, as members of the legal profession and as our chief purpose, we are required to “pursue” justice. Our pursuit is a call to action rather than words. Every day, in our interactions with our clients, our adversaries, or in our presiding over each case, we have this opportunity and obligation. Despite the volume of cases before us, the case we are handling at any given moment is the most important thing at that time for that person. Our diligent handling and demonstration of compassion shapes their perception of justice and our justice system moving forward. Our overriding goal is not simply to resolve disputes or create winners and losers—“Our courts are not gambling halls but forums for the discovery of truth.”<sup>57</sup> I have this quote posted on the bench in Department Four.

Our pursuit of justice is not perfect. We can correctly apply the law, give people due process, and yet the law itself may be unjust in the larger conception of justice. At times our goals of *justice, honor and truth* within our courtrooms do not meet our expectations despite our intentions. To truly pursue justice, we must do so with an understanding that we may be wrong. Attorneys, jurors, judges, and justices will make mistakes.<sup>58</sup> True justice in our legal process requires humility and the ability to learn and evolve as our concepts of justice expand.

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<sup>57</sup> *People v. St. Martin* (1970) 1 Cal. 3d 524, 533.

<sup>58</sup> I am inspired by my former colleague Judge Mark Curry. Prior to becoming a judge, he worked as a prosecutor in Sacramento County for twenty-one years. As a homicide prosecutor, he convicted a man for special circumstance murder based in part on eyewitness testimony. While pending sentencing, he received credible information that he may have convicted the wrong person. He initiated an investigation and ultimately discovered the error and the actual perpetrators. He secured a dismissal for the convicted defendant and ultimately prosecuted and convicted the actual perpetrators. (See *Playing by the Rules*, Center for Public Integrity.)



*Photo by Garen Horst*

Long ago, as the Historic Courthouse was being constructed, Judge Prewett talked about laying a cornerstone to an enduring structure that he later described as our “Temple of Justice.” We, as practitioners in our legal community, understand that our Temple of Justice figuratively is incomplete. The work we do, one client or litigant at a time, helps to build our justice system for the future. Our Historic Courthouse, with our Lady Justices looking forward into the distance during the light of day, serves for me as a strong symbol of our resolute pursuit of justice for today and tomorrow.

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