

VOLUME 20 | 2025

LAW STARS

CALIFORNIA LEGAL HISTORY

JOURNAL OF THE CALIFORNIA SUPREME COURT HISTORICAL SOCIETY

The historical underpinnings of a law, decision, or custom are critical to their proper application, whether in making an argument or in supporting a judicial ruling. In short, in the field of law, the past guides the future.

The Hon. Daniel M. Kolkey, President Emeritus,
California Supreme Court Historical Society

Guide to the 2025 edition

California is a huge state, by population and by geography. It is governed by a complex mix of authorities comprised of city, county, regional, and state officials, elected and appointed. Government officials, as with citizens, must live by the rule of law, statutory and constitutional.

California Legal History is published annually by the California Supreme Court Historical Society to inspire, inform, and educate through its presentation of authoritative articles written by experienced and able legal and professional scholars, some with differing perspectives, on the origins, evolutions, and, in some cases, revolutions in the law and their various impacts on the people of the state.

This year's *California Legal History* is special in content, in celebration of the 175th birthday of the California Supreme Court, and in recognition of it being the 20th annual edition. In it we remember Jewish justices who served on the California Supreme Court; chronicle the court's 175-year history; honor six superstars in the law in our cover story—U.S. Chief Justice Earl Warren, U.S. Attorney General Edwin Meese, III, U.S. Vice President Kamala Harris, and three California Supreme Court justices, Ming Chin, Carol Corrigan, and Martin Jenkins—all of whom began their remarkable legal careers in the Alameda County District Attorney's Office; memorialize leading female prosecutors and defenders; share the grief of those judges and lawyers who lost their homes in the January 2025 fires in Los Angeles; deal with why so many murderers and rapists escape apprehension; salute the career of a great lawyer who is also an inspired artist; tout two aspects of California's "Wild West"; and salute the three winners of the Society's annual Selma Moidel Smith Student Writing Competition.

We anticipate the 250th birthday next year of the Declaration of Independence in an article tracing California's legal history from the state's earliest days to the present.

And, finally, we mourn the passing of Selma Moidel Smith, 106, who served as editor-in-chief of *California Legal History* from 2008–2022.

Cover art: In evaluating the format for producing the cover art for this year's journal, depicting the six distinguished former members of the Alameda County District Attorney's Office, renowned artist and lawyer, Terry Flanigan, settled on a style he explains, "The cover art is a perfect example of an illustration. Having been given the elements of a story, I had to visualize how to convey the idea, six individuals and their relationships to a building, the Alameda County Courthouse in downtown Oakland. Because the law, the past, and a story are a common connection, an early twentieth-century newspaper format seemed like a good candidate, along with its use of encapsulated portraits and monotone sepia coloring. The circle of circles surrounding the Mother Ship; that is, the courthouse, painted in watercolor, provided the answer."

Former U.S. Chief Justice Earl Warren is most prominently depicted on the cover at the center top. He is flanked on the left by former U.S. Attorney General Edwin Meese III, and on the right by former Associate Justice Ming Chin of the California Supreme Court. All three men are legal legends; each having left an immense imprint on the law. Across the bottom are three distinguished legal luminaries, each still making an indelible mark on the law. Left to right: Associate Justices Carol Corrigan and Martin Jenkins of the California Supreme Court, and Kamala Harris, former San Francisco District Attorney, California Attorney General, U.S. Senator, U.S. Vice President, and recent candidate for President. All six law stars distinguished themselves before leaving the office to serve California and the nation even more broadly.

Flanigan did the art for the cover without charge. He has done similar legal projects throughout the years, also without charge. He is very generous with his talent.



The California Supreme Court Historical Society was founded in 1989 as a non-profit public benefit corporation dedicated to recovering, preserving, and promoting California's legal and judicial history, with a particular emphasis on the state's highest court. The Society serves the interests of the bench and bar, the academic community, and the general public through its publications, educational programs and support of scholarly research. The Society assists with exhibitions, oral histories, court tours, and the acquisition and archiving of judicial materials. It publishes a semiannual magazine, *Review*, and an annual journal, *California Legal History*. A high point is the annual Selma Moidel Smith Student Writing Competition in *California Legal History*. The Society is governed by a board of directors chaired by Chief Justice Patricia Guerrero. The Society president is Judge Barry P. Goode, Superior Court, County of Contra Costa, State of California.



Burnt remains of Linda Kaye's piano discovered at her Pacific Palisades home following the January 2025 fires. Linda is piano accompanist for the chorus of the Los Angeles Philharmonic, Legal Voices. She graduated from UC Law, San Francisco, clerked for a Superior Court Judge in San Francisco and worked as a paralegal. More on the fires inside. Photo taken by Linda Kaye.

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Subscription Information:

Membership in the Society at rates as low as \$50 per year entitles individuals to a hard copy of the journal as a member benefit. For information regarding individual memberships and the associated benefits, please visit www.cschs.org, or contact the Society at either (800) 353-7357 or CSCHS, 4747 North First Street, Suite 140, Fresno, CA 93726.

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Submission Information:

Submissions of articles and book reviews are welcome on any aspect of California legal history, broadly construed. Please contact the editor-in-chief to propose potential submissions.

Artists, including those who sketch actual courtroom scenes, with an interest in the law and who are interested in submitting their work are welcome. Once again, please contact the editor-in-chief to propose potential submissions.

Honoraria and commissions for articles, book reviews, or art are not available.

In recognition of the hybrid nature of legal history, manuscripts will be accepted in either of two legal styles, the *Harvard Bluebook* or the *California Style Manual* (CSM), or academic style (*Chicago Manual*). Citations of cases and law review articles must be in either Bluebook or CSM style. Manuscripts should be sent by email as MS Word files. Photographs and illustrations must be accompanied by appropriate captions containing relevant data, including permission to reprint and credit to sources.

Beginning January 1, 2026, submissions and other editorial correspondence should be addressed to:

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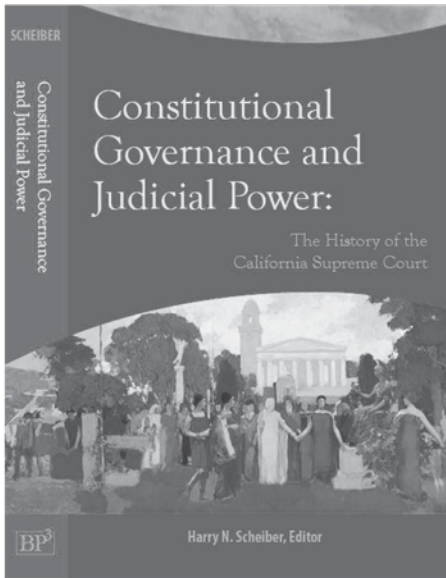
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But justice, though due the accused,
is due the accuser also. The concept
of fairness must not be strained till it
is narrowed to a filament. We are to
keep the balance true.

Snyder v. Massachusetts (1934) 291 U.S. 97, 122