

AMENDED IN ASSEMBLY JUNE 27, 2001

Senate Concurrent Resolution

No. 36

Introduced by Senator Burton

(Principal coauthors: Senators Escutia and Ortiz)

(Principal coauthors: Assembly Members Hertzberg and Steinberg)

(*Coauthors: Assembly Members Alquist, Aroner, Ashburn, Bates, Bogh, Briggs, Calderon, Bill Campbell, Canciamilla, Cardenas, Cardoza, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dickerson, Dutra, Florez, Frommer, Goldberg, Harman, Havice, Horton, Jackson, Keeley, Kehoe, Kelley, Koretz, La Suer, Leach, Leonard, Leslie, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Migden, Mountjoy, Nakano, Negrete McLeod, Oropeza, Robert Pacheco, Rod Pacheco, Papan, Pavley, Pescetti, Reyes, Richman, Runner, Salinas, Shelley, Simitian, Strickland, Strom-Martin, Thomson, Vargas, Washington, Wayne, Wesson, Wright, Wyland, Wyman, and Zettel*)

June 26, 2001

Senate Concurrent Resolution No. 36—Relative to the Stanley Mosk Library and Courts Building.

LEGISLATIVE COUNSEL'S DIGEST

SCR 36, as amended, Burton. Stanley Mosk Library and Courts Building.

This measure would rename the State Library and Courts Building as the Stanley Mosk Library and Courts Building.

Fiscal committee: yes.

1 WHEREAS, Justice Stanley Mosk was born September 4,
2 1912, in San Antonio, Texas, and was educated in the public
3 schools of Rockford, Illinois; and

4 WHEREAS, Justice Stanley Mosk graduated from the
5 University of Chicago, completed two years of law school at the
6 University of Chicago, and received his law degree from
7 Southwestern University in Los Angeles, California; and

8 WHEREAS, Justice Stanley Mosk has been a Californian since
9 1933; and

10 WHEREAS, Justice Stanley Mosk was admitted to the State Bar
11 of California in 1935; and

12 WHEREAS, From 1939 to 1942, Justice Stanley Mosk served
13 as Executive Secretary and Legal Advisor to Governor Culbert
14 Olson; and

15 WHEREAS, In 1942, Governor Culbert Olson appointed
16 Justice Stanley Mosk, then 30 years of age, to the Los Angeles
17 County Superior Court, making him the youngest superior court
18 judge in the State of California; and

19 WHEREAS, Justice Stanley Mosk, after serving in the Coast
20 Guard Temporary Reserve in the early years of World War II, left
21 the bench of the Los Angeles County Superior Court to enlist in
22 the Army, where he served his country until the end of the war; and

23 WHEREAS, After World War II, Justice Stanley Mosk returned
24 to the bench of the Los Angeles County Superior Court where he
25 continued to serve until 1958. As a jurist of the Los Angeles
26 County Superior Court, Justice Stanley Mosk distinguished
27 himself in 1947 by striking down racially restrictive real estate
28 covenants one year before the United States Supreme Court found
29 those covenants to be unconstitutional; and

30 WHEREAS, Justice Stanley Mosk was elected to the position
31 of Attorney General of California in 1958 by a margin of over one
32 million votes; and

33 WHEREAS, During Justice Stanley Mosk's tenure from 1959
34 to 1964 as California's Attorney General, he issued nearly 2,000
35 written opinions, was instrumental in forcing the Professional
36 Golfers Association to end its "whites only" clause, appeared
37 before the United States Supreme Court representing California in
38 the Arizona v. California water case, served on 10 boards and
39 commissions, reorganized the Attorney General's office, and
40 authored some of California's most constructive legislative



1 proposals for the crime and law enforcement professions,
2 including the measure that created the Commission on Peace
3 Officers’ Standards and Training; and

4 WHEREAS, Justice Stanley Mosk, just weeks prior to his
5 appointment to the California Supreme Court bench was described
6 by Senator Ervin of North Carolina as “one of the finest
7 constitutional lawyers in the United States”; and

8 WHEREAS, On August 18, 1964, Justice Stanley Mosk was
9 appointed to the California Supreme Court by Governor Pat
10 Brown, a position he held until his passing on June 19, 2001.
11 Justice Stanley Mosk’s tenure of 36 years and 10 months on the
12 California Supreme Court bench made him the longest serving
13 justice in this state; and

14 WHEREAS, While serving on the bench of the California
15 Supreme Court, Justice Stanley Mosk was committed to protecting
16 and expanding the rights of individuals, striving to ensure that all
17 persons were treated equally under the law, and was the pioneer of
18 the legal theory of “independent state grounds,” a theory based on
19 the principle that rights of individuals guaranteed by the Bill of
20 Rights may be expanded under a state’s constitution. Justice
21 Stanley Mosk authored opinions that barred prosecutors from
22 using racially discriminatory preemptive challenges in selecting a
23 jury, struck down the University of California’s use of racial
24 quotas in its admission policies, and was the lone dissenter in a
25 decision that permitted prosecutors to target gang members with
26 civil injunctions. While personally opposed to the death penalty,
27 Justice Stanley Mosk, nevertheless followed the letter of the law
28 when faced with appeals of capital punishment; and

29 WHEREAS, In 1999, Justice Stanley Mosk became the seventh
30 recipient of the California State Bar’s prestigious Bernard E.
31 Witkin Medal in recognition of his contributions to the quality of
32 justice and legal scholarship in California. That award reads:
33 “Unfailing in courtesy, kindness and collegiality, Justice Mosk’s
34 modest demeanor belies the magnitude of his contributions to the
35 development of California Law”; and

36 WHEREAS, With the passing of Justice Stanley Mosk,
37 California has lost one of its best legal minds and one of its
38 foremost guardians of human rights; now, therefore, be it

39 *Resolved by the Senate of the State of California, the Assembly*
40 *thereof concurring,* That, in recognition of Justice Stanley Mosk’s



1 years of public service to the State of California, his commitment
2 to protecting the rights of individuals, and his contributions to
3 California's system of jurisprudence, the State Library and Courts
4 Building shall be renamed as the Stanley Mosk Library and Courts
5 Building.

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