

Senate Concurrent Resolution No. 36

RESOLUTION CHAPTER 81

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

[Filed with Secretary of State July 10, 2001.]

LEGISLATIVE COUNSEL'S DIGEST

SCR 36, 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.

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

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

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

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

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

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

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

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

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

WHEREAS, During Justice Stanley Mosk's tenure from 1959 to 1964 as California's Attorney General, he issued nearly 2,000 written opinions, was instrumental in forcing the Professional Golfers Association to end its "whites only" clause, appeared before the United States Supreme Court representing California in the Arizona v. California water case, served on 10 boards and commissions, reorganized the Attorney General's office, and authored some of California's most constructive legislative proposals for the crime and law enforcement professions, including the measure that created the Commission on Peace Officers' Standards and Training; and

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

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

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

WHEREAS, In 1999, Justice Stanley Mosk became the seventh recipient of the California State Bar's prestigious Bernard E. Witkin Medal in recognition of his contributions to the quality of justice and legal scholarship in California. That award reads: "Unfailing in courtesy, kindness and collegiality, Justice Mosk's modest demeanor belies the magnitude of his contributions to the development of California Law"; and



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

Resolved by the Senate of the State of California, the Assembly thereof concurring, That, in recognition of Justice Stanley Mosk's years of public service to the State of California, his commitment to protecting the rights of individuals, and his contributions to California's system of jurisprudence, the State Library and Courts Building shall be renamed as the Stanley Mosk Library and Courts Building.

