

LOW, Harry W.

RETIRED PRESIDING JUSTICE, COURT OF APPEAL, First Appellate District, Division Five

Appointment/Election: Appointed to newly-created position by Governor Brown, Jr. Dec. 2, 1982, confirmed by Commission on Judicial Appointments Dec. 29, 1982, oath same day, confirmed by electorate Nov. 4, 1986, and retired from bench Dec. 31, 1991 (worked an addition 2 months, same court, as an Associate Justice pro tempore).

Previous Judicial Office: Assistant Administrative Presiding Justice of Court, March 5, 1987 to July 1, 1988. Served as Associate Justice pro tempore, Supreme Court of Calif., at various times from 1983 to 1992. Judge, Superior Court, City & County of San Francisco, July 3, 1974 [date of oath] to Dec. 29, 1982., elected June 4, 1974 for term commencing Jan. 5, 1975 (interim appointment by Governor Reagan June 12, 1974, effective until commencement of elected term). and reelected in 1980. Judge, Municipal Court, San Francisco Judicial District, City & County of San Francisco. Dec. 29, 1966 (date of oath) to July 3, 1974. Appointed Dec. 27, 1966 by Governor Brown, Sr., and elected in subsequent election [first judge of Chinese-American ancestry in northern Calif.

Past Employment: Deputy Attorney General, Calif. State Dept. of Justice, San Francisco, 1956-66 (tax section); President, San Francisco Police Commission, 1992---(appointed by Mayor Frank M. Jordan). Commissioner, Workmen's [now Workers'] Compensation Appeals Board, March-Dec. 1966.

Memberships/Awards: Member: Calif. Judges Assn., 1967- (President. 1978-79: Executive Board. 1976-79: Editor, California Courts Commentary [news journal of assn], 1973-76); American Bar Assn. 1970- (member, 1985-, and Chair, 1991, Executive Board, Appellate Judges Conference); Asian-American Bar Assn. of the Greater Bay Area. 1976--; Bar Assn. of San Francisco. 1956-- [Co-chair. Bench/Bar/Media Committee. 1976-86): Friends of Park & Recreation, 1976-; St. Vincent's Boys Home Godfathers. 1968-: and other professional, civic, and charitable organizations. Chair, Calif. Judicial Council's Commission on the Future of the Courts. Committee on Crime, 1991-. President, Institute of Chinese Western History, Univ. of San Francisco. 1987-. Chair: Senior Tutors for Youth. 1981-; Chinese American International School. 1979---; and Education Center for Chinese, 1965-. National President (1988-) and President [1976-77). Chinese American Citizens Alliance. President. Chinese Hospital Health Assn. 1991"---. Former member: CJER Governing Committee. 1991~93; Select Committee to Expedite Supreme Court Workload, ~June 16, 1987 to completion in 1990 (appointed by Chief Justice Lucas); Board of Directors, National Center for State Courts, 1987-92: CJER Journal Executive Committee and Planning Committee, 1979-83; Calif. Judicial Council, 1979-81; Calif. Council on Criminal Justice. 1975-86; Judicial Criminal Justice Planning Committee, 1974~79; American Judicature Society. 1966-78; Board of Visitors, U.S. Military Academy, West Point. 1978-81 (Chair. 1980-81): Salesian Boys Club. 1969-87: Board of Directors, Greater Chinatown Service Assn.. 1964-80; National Conference of Christians and Jews, 1969-80: Chinese Cultural Foundation. 1966-74: North East Medical Service Center of Chinatown North Beach, 1964-74: Mt. Zion Hospital, 1977-80; and USO, 1973-78. Former Chair, Board of Trustees, North Beach Chinatown, Youth for Service. 1977~80. Former Trustee: Graduate Theological Union, 1976-80; and CORO Foundation, 1974~78. Past President: San Francisco Community College Foundation, 1978-87; and San Francisco _ Schools Commission, 1974~76. Recipient. "25 Year Service Award" (1991) from Calif. Judges Assn.

Teaching/Lectures/Panelist: Participant. The Rutter Group Update Program, "Civil Procedure." 1991 [panelist]. Faculty: Calif. Judicial College [CJER], Berkeley. 1978-82. and its predecessor, Calif. Trial Judges College Session (CJER), 1976-77. Instructor. Legal Secretarial College [part-time). 1958-66, Instructor. Berkeley Adult Evening School. 1957-62. Teaching Associate. Univ. of Calif. Boalt Hall School of Law, 1955-56 (full time). Served as speaker or panelist for various judicial seminars and study committees,

Publications: Research Editor, State Bar Publications, Law in the News, and Law In Action, 1958-76, Contributor of articles to various Journals and other publications.

Noteworthy Cases: Significant decisions authored by Presiding Justice Low include: *Conservatorship of Smith*, (1986) 187 Cal.App.3d 903. 232 Cal.Rptr. 277 [ruling that local authorities cannot use the state conservatorship laws as a way of removing mentally ill persons from the street); *Festival Enterprises, Inc. v. City of Pleasant Hill*. (1986) 182 Cal.App.3d 960. 227 Cal.Rptr. 601 (ruling that city tax on admissions to various events but which applied in fact only to admissions to movie theatres was unconstitutional as violating the free speech guarantee of the First Amendment to the U.S. Constitution); *Planned Parenthood Affiliates v. Van de Kamp*. (1986) 181

Cal.App.3d 245. 225 Cal.Rptr. 361 (holding minors under 14 years of age who engage in voluntary sexual activity together are not child abuse victims and should not be reported to police by health professionals); and *Tri Cities Children's Center, Inc. v. County Board of Supervisors*. (1985) 166 Cal.App.3d 589. 213 Cal.Rptr. 541 (striking down as violative of Revenue & Taxation Code § 214 county's practice of levying property taxes on non-profit charitable organizations, like nursery schools and boy scouts, if they lease facilities from public entities).

Education: J.D. (1955). Univ. of Calif Berkeley. Boalt Hall School of Law; B.A. (1952. Political Science!). Univ. of Calif Berkeley (scholarship); AA (1950). Modesto Junior College, Modesto. Calif., Graduate. Oakdale High School. Oakdale. Calif. [class president. 1947-48).

Born: March 12. 1931; Oakdale, Calif.; Married. Three children [2 lawyers).

Admission: Admitted to Calif, Bar Dec. 24. 1955.

Political Affiliation/Religion: Democrat