

SPARKS, Keith Fogus

RETIRED ASSOCIATE JUSTICE, COURT OF APPEAL, Third Appellate District

Appointment/Election: Appointed [succeeding Associate Justice George E. Paras, resigned] by Governor Brown Jr. Aug. 21, 1981, confirmed by Commission on Judicial Appointments Oct. 19, 1981, oath Oct. 20, 1981, confirmed by electorate Nov. 4, 1986, and retired in 1997.

Other Judicial Office: Judge, Superior Court, Placer County, Feb. 22, 1977 (date of oath) to Oct. 20, 1981, appointed Feb. 14, 1977 by Governor Brown Jr. Presiding Judge, 1979.

Past Employment: Served from Deputy District Attorney to Chief Deputy District Attorney, Placer County, April 1, 1967 to Feb. 22, 1977. Assistant City Attorney, Roseville, Placer County, Jan. 1963 to April 1967. Private law practice: Roseville, Jan. 1963 to April 1967 (partner, Boon & Sparks); and Portland, Oregon, Sept. 1961 to June 1962 (associate, King, Miller, Anderson, Nash & Verke).

Memberships/Awards: Member: Calif. Judges Assn., 1977—; Placer County Bar Assn., 1963— (President, 1966); and Oregon Bar Assn., 1962—. Former member: CJER Journal Planning Committee, 1984-86; and Phi Delta Phi law fraternity. Former Director: Roseville Area Chamber of Commerce.

Teaching/Lectures/Panelist: Participant: The Rutter Group Update Program, Civil Procedure, 1991 (faculty); and CEB program, How to Handle Evidence, 1986 (moderator).

Publications: Author of student note, “Federal Civil Procedure and Sovereign Immunity,” 48 Cal L Rev 323.

Noteworthy Cases: Significant decisions authored by Justice Sparks include: *Newton v. Kaiser Hospital*, (1986) 184 Cal.App.3d 386, 228 Cal.Rptr. 890 (action by parents of child injured during childbirth for damages for negligent infliction of emotional distress in which court expanded right to recover for this tort); *Keller v. State Bar*, (1986) 181 Cal.App.3d 471 (ruling that State Bar could not use lawyers’ mandatory dues to support political activities not directly related to administration of justice; review granted by Supreme Court); and *Nicholson v. McClatchy Newspapers*, (1986) 177 Cal.App.3d 509, 223 Cal.Rptr. 58 (holding nominee for judicial office cannot sue newspaper for invasion of privacy resulting from publication of not qualified evaluation from Calif. State Bar’s Judicial Nominees

Evaluation Committee).

Military Experience: Served to TN3, U.S. Navy, March 1, 1956 to Oct. 1, 1957 (Orient).

Education: J.D. (June 1961), Univ. of Calif., Boalt Hall School of Law, Berkeley, Calif. (Order of the Coif; Note and Comment Editor, Cal L Rev); B.A. (June 1955), Univ. of Calif., Berkeley (Pi Sigma Alpha); Graduate (1951), Placer Union High School, Auburn, Calif.

Personal: Born March 19, 1933; Sacramento, Calif. [son of former Placer County Superior Court Judge Lowell Sparks]; Married. Four children.

Interests: Enjoys reading, skiing, sports, and working out programs on his computer.

Admission: Admitted to Calif. Bar, to U.S. Court of Appeals, Ninth Circuit, and to U.S. Dist. Court, Northern Dist. of Calif., Jan. 15, 1963; to Supreme Court of Oregon Sept. 18, 1961; to U.S. Dist. Court, Dist. of Oregon, Oct. 16, 1961; and to U.S. Supreme Court April 21, 1969.

Political Affiliation/Religion: Democrat; Episcopalian.