



## Court of Appeal

FOURTH DISTRICT, DIVISION THREE  
601 WEST SANTA ANA BLVD.  
SANTA ANA, CALIFORNIA 92701  
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CHAMBERS OF  
KATHLEEN E. O'LEARY  
PRESIDING JUSTICE

March 9, 2023

### VIA E-MAIL

Hon. Keith D. Davis, Chair  
Subcommittee on Courthouse Names  
Court Facilities Advisory Committee  
kddavis@sb-court.org

Re: Courthouse Naming Policy

Dear Judge Davis:

I write to request a variance from the Judicial Council's policy that courthouses should only be named for an individual who has been deceased for ten years. I believe there is good cause for an exception to allow the Fourth District Court of Appeal, Division Three building in the City of Santa Ana in Orange County to be named for the Honorable Cruz Reynoso. Justice Reynoso died on May 7, 2021, five days after his 90th birthday.

The Honorable Cruz Reynoso is a beloved native son of the City of Brea in the County of Orange. He was born in Brea, and when Justice Reynoso was seven years old, the family moved to a barrio outside of the City of La Habra also in Orange County. When the Reynoso family moved there, the United States Postal Service refused to provide Rural Free Delivery service within the barrio even though non-minority families living nearby received the service. A young Cruz Reynoso circulated a petition demanding service. The Postmaster General's office in Washington, D.C. responded to his petition and ordered that mail delivery be provided to the barrio (much to the chagrin of the local postmaster). Justice Reynoso was quoted in the 2009 California Bar Journal saying his boyhood success helped motivate him to "keep doing things that needed to be done." He did just that and became the first Latino Associate Justice of the California Supreme Court in 1982.

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Orange County's population of over 3 million persons is 34 percent Hispanic/Latino and the City of Santa Ana has a Hispanic/Latino population of over 75 percent. The California Court of Appeal, Fourth Appellate District, Division Three, is located in the City of Santa Ana in the County of Orange. Justice Reynoso spent a lifetime fighting the prejudices he first encountered during his childhood in Orange County. He serves as an extraordinary example of how a Latino child from a barrio in Orange County can make a difference in his community and in the world and become an icon in his or her profession.

Cruz Reynoso was a trailblazing lawyer, jurist, and law professor. He was the only Latino in his graduating class at Berkeley Law in 1959. Justice Reynoso began his legal career in private law practice in El Centro, California. He served as a legislative assistant in the California State Senate from 1959 to 1960. He was an Associate General Counsel for the Equal Employment Opportunity Commission in 1967 and 1968. He later became the Director of California Rural Legal Assistance.

Justice Reynoso served as a faculty member at the University of New Mexico School of Law, the UCLA School of Law, and the UC Davis School of Law. In May 2011, Chapman University School of Law, here in Orange County, conferred an honorary Doctor of Laws degree upon him. His awards are far too numerous to mention in their entirety, but they include the Presidential Medal of Freedom (the United States' highest civilian honor – awarded by President Bill Clinton), the State Bar of California's Bernard E. Witkin Medal, the UC Davis Medal of Honor, and the Hispanic Heritage Award in Education. Justice Reynoso served on the California Court of Appeal, Third District, from 1976 until 1981, when Governor Jerry Brown appointed him to the Supreme Court.

Cruz Reynoso, the boy who grew up in a barrio in Orange County, went on to be nationally recognized for his talents and efforts. President Jimmy Carter appointed Justice Reynoso to serve as a member of the Congressional Select Commission on Immigrant and Refugee Policy. The United States Senate appointed Justice Reynoso to the U.S. Commission on Civil Rights in April 1993. President-elect Barack Obama appointed Justice Reynoso to his White House transition team in early 2009, as part of a justice and civil rights sub-team.

Justice Reynoso's story is a model for all of us, particularly the Latino youth in our county. A courthouse in Orange County named for Justice Reynoso would highlight his achievements and would encourage and empower many children who come from similar circumstances to seek to achieve their dreams.

Without a doubt, naming a courthouse after a deceased person must be carefully considered to protect the integrity and independence of the judicial branch. I believe a courthouse named for Supreme Court Justice Cruz Reynoso would not only protect, but would enhance, the integrity and independence of the branch. Justice Reynoso made many recognizable and significant contributions to the state and national justice system. There are no issues of conflict of interest. The only standard Justice Reynoso does not meet is the period of time since his death.

The stated purpose of the ten-year waiting period is to allow sufficient time to establish the individual's character within which unknown facts would come to light. Justice Reynoso was a public person for the vast majority of his life. The details of his personal and professional life were widely researched and published over the years. He was thoroughly vetted not only for his positions as an Associate Justice on the Third District Court of Appeal and the California Supreme Court, but also as a recipient of the Presidential Medal of Freedom. When a person is the subject of such intense public scrutiny during their lifetime, it is not reasonable to assume there are unknown facts that will come to light over the next nine years.

Your question is likely, why can't this wait for another eight years? Certainly, if this was just about honoring Cruz Reynoso, the man, naming a courthouse for Justice Reynoso would be a tribute to his legacy whenever it is done. But to wait eight years to name a courthouse in Orange County for an Orange County native who became the first Latino Justice of the California Supreme Court means delaying the inspiration and motivation of young Orange County Latinos needlessly. It is difficult to imagine the potential that would be lost by an eight-year delay. Now is the time to motivate our youth to do as Justice Reynoso did – "keep doing things that need to be done."

Sadly, there are very few buildings named for prominent Latinos in Orange County, especially considering its Latino population exceeds one million people. There are no such public (non-school) buildings that I was able to find. Some of the rare examples are a building named after Cesar Chavez at Santa Ana College and a Santa Ana high school named after Santa Ana postmaster Hector G. Godinez, along with a few intermediate and grammar schools. Fullerton College has announced its intention to dedicate the Cruz Reynoso Hall on September 14, 2023. Naming a courthouse after Justice Cruz Reynoso would be a much needed and significant acknowledgement of the contributions made to our county and our state by him and the Latino community.

I recognize to name a courthouse after Justice Reynoso at this time would be a departure from the Judicial Council's guidelines, but it appears it would not be the first such departure. The legendary Judge Richard E. Arnason died in 2015 at the age of 94.

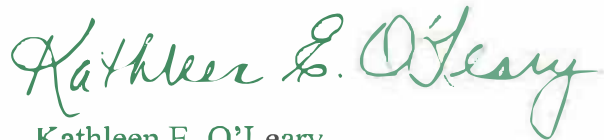
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The naming of a justice center in Contra Costa for him was approved by the Judicial Council in 2008, seven years prior to his death. The Hall of Justice in Alameda County was named for retired Judge George E. McDonald who died at the age of 95 in 2016. And in 2008, a Merced County courthouse was renamed for the Robert M. Falasco Justice Center in honor of Judge Falasco who died in 2012. The Charles James Ogletree Jr. Courthouse naming ceremony took place on February 17, 2023. Ogletree grew up in Merced and went on to be one of Harvard Law School's most notable professors. Unfortunately, the seventy-year-old was unable to attend the ceremony.

These are just some of the exceptions I have observed to the rule. What is clear is that exceptions can only be made for exceptional people. I strongly believe Justice Cruz Reynoso is such an exceptional person.

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Kathleen E. O'Leary  
Presiding Justice

cc: Hon. Patricia Guerrero, Chief Justice of California\*  
Hon. Brad R. Hill, Chair, Court Facilities Advisory Committee\*  
Hon. Patricia M. Lucas, Vice-Chair, Court Facilities Advisory Committee\*  
Hon. Donald Cole Byr\*  
Hon. JoAnn M. Bicego\*  
Mr. Anthony P. Capozzi\*  
Mr. Stephan Castellanos\*  
Hon. Robert D. Foiles\*  
Ms. Melissa Fowler-Bradley\*  
Hon. William F. Highberger\*  
Hon. Steven E. Jahr (Ret.)\*  
Ms. Krista LeVier\*  
Hon. Gary R. Orozco\*  
Hon. David Edwin Power (Ret.)\*  
Mr. Lee Seale\*

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Mr. Larry Spikes\*  
Hon. Robert J. Trentacosta\*  
Mr. Thomas J. Warwick, Jr.\*  
(\* *by email only*)

# Courthouse Naming Request: Name the Fourth Appellate District Courthouse in the City of Santa Ana

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CFAC Subcommittee on Courthouse Names Meeting  
June 12, 2023



# Fourth Appellate District Courthouse

- Fourth Appellate District has three facility locations:
  - Division One in San Diego.
  - Division Two in Riverside.
  - **Division Three in Santa Ana.**
- **Division Three Courthouse in Santa Ana:**
  - Serves Orange County specifically and located in Santa Ana Civic Center.
  - Designed and constructed under Judicial Council management.
  - State-owned, 3-story, 52,000-square-foot building.
  - **Built in 2009 and never named.**



# Court of Appeal, Fourth District, Division Three Courthouse

Note: Exterior signage only  
generally identifies the building.





# Appellate District's Proposal

- Name the existing Division Three Courthouse after former Associate Justice of the Supreme Court of California, **Cruz Reynoso:**
  - To honor his many contributions to the legal community and years of service until his passing in 2021.
  - To honor his service with distinction to the California Court of Appeal and the Supreme Court of California.
  - To highlight his achievements to inspire/empower young people, particularly Latino youth, to seek to achieve their passions.

# Background

- **Justice Reynoso was a trailblazing lawyer, jurist, and law professor:**
  - Born and raised in Orange County.
  - Only Latino in graduating Berkeley Law School class in 1959.
  - Legislative Assistant in California State Senate from 1959–60.
  - Associate General Counsel for Equal Employment Opportunity Commission from 1967–68.
  - Executive Director of California Rural Legal Assistance from 1969–72.
  - Appointed to Third District Court of Appeal in 1976.
  - First Latino Associate Justice of the Supreme Court of California in 1982 (served from 1982–87).

# Background, *continued*

- **Law School faculty at University of New Mexico, UCLA, and UC Davis.**
- **Nationally recognized for his talents and efforts through many appointments, including:**
  - **Appointed by President Carter in 1979** as a member of the Congressional Select Commission on Immigrant and Refugee Policy.
  - **Appointed by the US Senate in 1993 (serving until 2004)** to the U.S. Commission on Civil Rights.
  - **Appointed by President Obama in 2009** to the Justice/Civil Rights Sub-team of the White House Transition Team.

# Background, *continued*

- **Recipient of numerous awards, including:**
  - State Bar of California's Bernard E. Witkin Medal.
  - UC Davis Medal of Honor.
  - Hispanic Heritage Award in Education.
  - **Presidential Medal of Freedom:**
    - **For his public service and efforts to address social inequities.**
    - **United States' highest civilian honor.**
    - **Awarded by President Clinton in 2000.**
      - **NOTE: The background check to qualify for this would have been extensive.**

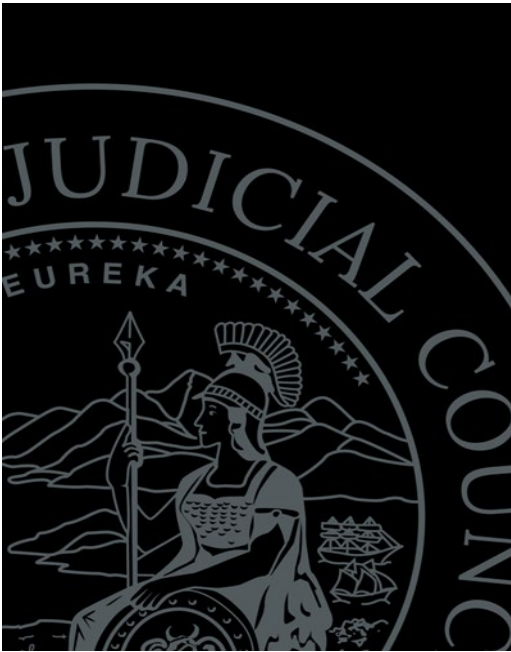
# Requested Action

Given the naming request's compliance with the provisions of the Revised Courthouse Naming Policy:

1. Recommend the Judicial Council approve the Fourth Appellate District's naming request subject to conformance to the Revised Courthouse Naming Policy and concurrence of the full CFAC.



Questions?



# **Courthouse Naming Policy**

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ADOPTED BY JUDICIAL COUNCIL ON:  
MAY 11, 2009

REVISED BY JUDICIAL COUNCIL ON:  
JULY 21, 2023



Judicial Council of California

## I. Purpose of the Policy

The Judicial Council of California (Judicial Council) is responsible for California's courthouses under the Trial Court Facilities Act of 2002 and related legislation, which also includes responsibility for construction of new courthouses and renovation of existing courthouses. It is the policy of the Judicial Council, acting through the Court Facilities Advisory Committee, Subcommittee on Courthouse Names, through its directives to Judicial Council staff, to name courthouses based on standards. This will provide consistency in identifying courthouses in California.

The naming of courthouses will follow the standards set forth in this policy in naming new courthouses, and in naming existing courthouses—including court facilities that are renovated.

## II. Application of Courthouse Naming Standards

The Judicial Council's naming standards will be applied to newly constructed courthouses and renovated courthouses that the Judicial Council has financed—in whole or in part—and to existing courthouses, where the judicial branch is the facility owner or majority tenant.

## III. Names for Trial and Appellate Courthouses

### A. Definitions

*Court facility* refers to any building that the local court occupies to provide its main services, its branch services, or other services and operations. As used in this policy, the word *courthouse* is considered interchangeable with this term.

*Court Facilities Advisory Committee (CFAC)* is an advisory body to the Judicial Council on all facilities-related matters. The members of this advisory committee are appointed by the Chief Justice of California. The CFAC is charged with providing ongoing oversight of the judicial branch program that manages new construction and renovations for the superior courts and Courts of Appeal throughout the state. It oversees the work of the Judicial Council staff in its management of court facilities statewide and in its effort to implement the judicial branch's capital improvement program.

*Subcommittee on Courthouse Names* (the subcommittee) is the subcommittee of the CFAC charged with responsibility to review and consider options in naming specific new and existing courthouses. The chair of the Subcommittee on Courthouse Names is appointed by the chair of the CFAC. The members of the subcommittee are appointed by the subcommittee chair. The subcommittee is responsible for recommending to the CFAC names for courthouses and in doing so may consider comments from members of CFAC, or refer requests for naming to the Judicial Council where appropriate. The subcommittee's operating protocols, including the term of each member, will be established by the CFAC.

*Case type* can include but is not limited to the following caseload identifiers: family law, juvenile, criminal, civil, traffic, probate, small claims, mental health, and drug.

*Location* of a court facility refers to the building's physical location in either an incorporated (i.e., town or city) or unincorporated (i.e., county or region) geographical area.

**B. Naming Standards for Trial and Appellate Courthouses**

1. Courthouses will be named based on one of the following two categories:
  - a. Location and case type, which is the category most commonly used; or
  - b. A person, which is a rarely used category.

A courthouse name will not include the name of any business entity, institution, foundation, or other organization, whether for profit or not for profit.

2. An explanation of each category follows. For all name categories, the courthouse name must include “Superior Court” or “Court of Appeal” *and* “California.” In each case, the building name may include the term “Courthouse,” “Justice Center,” or “Hall of Justice.”
  - a. Naming Preference 1: Location and Case Type (Most Commonly Used). It is the preference of the Judicial Council to name courthouses after their location and, if applicable, case type. This convention supports the Judicial Council’s goal of enhancing access to justice because naming courthouses after the location and case type provides users with key information about where the courthouse is located and the type of proceedings conducted within the courthouse.

Examples of courthouse names under the preferred naming standard for trial courts are as follows:

<b>Format Examples</b>	<b>Courthouses</b>	<b>Justice Centers</b>	<b>Halls of Justice</b>
<b>Example 1</b>	El Centro Family Courthouse Superior Court of California County of Imperial	Selma Regional Justice Center Superior Court of California County of Fresno	East County Hall of Justice Superior Court of California County of Alameda
<b>Example 2</b>	El Centro Family Courthouse Superior Court of California Imperial County	Selma Regional Justice Center Superior Court of California Fresno County	East County Hall of Justice Superior Court of California Alameda County

Examples of courthouse names under the preferred naming standard for appellate courts are as follows:

<b>Format Examples</b>	<b>Appellate Courthouse Names</b>
<b>Example 1</b>	State of California Court of Appeal First Appellate District Courthouse
<b>Example 2</b>	California Court of Appeal Fourth Appellate District Division Three
<b>Example 3</b>	State of California Court of Appeal Fifth Appellate District

b. Naming Preference 2: A Person (Rarely Used). Naming a courthouse after a person must be carefully considered to protect the integrity and independence of the judicial branch. A courthouse may be named after a person upon consideration of *all* the following criteria:

- i. The person made recognizable, significant contributions to the state or national justice system.
- ii. There is a rebuttable presumption that the name of a living person or one who died fewer than 10 years before the naming of the courthouse should not be used. Ten years is a reasonable time during which facts bearing upon such a person's character would come to light.

If articulable circumstances exist that ensure full knowledge of the character of a living person or one who died fewer than 10 years before the naming of the courthouse, this presumption may be overcome. An example of such circumstances is if the person's character and reputation were previously investigated, extensively and repeatedly, in connection with the person's prior selection or appointment to position(s) of public service.

- iii. The person, or the estate of the person, or any otherwise related entity deemed to pose a potential conflict of interest by the subcommittee, does not have any case pending before any court, and no such case is reasonably likely to come before any court, in future litigation.
- iv. The naming does not present a potential conflict of interest as may be viewed by the public, government entities, or private businesses.
- v. Consistency with the California Code of Judicial Ethics.

Examples of persons who meet these criteria may include a former Governor of California, a former Chief Justice of California, a former member of the California or United States Supreme Court, a former appellate court justice, a former trial court judge, a former court executive officer, a former president of a state or local bar association, or a former state or federal legislator.

### C. **Process for Naming Courthouses**

#### **Courthouses will be named by the following process:**

1. Requests for courthouse naming will be submitted to the chair of the subcommittee by the presiding judge or assistant presiding judge, or the court executive officer or the administrative presiding justice, or the clerk/executive officer of the Court of Appeal, or their designee, of the subject court. Concurrently, the chair of the subcommittee will in turn provide the request(s) to the local court or committee as to process and minimum requirements set forth in this policy.



2. The subcommittee will evaluate each proposed name under the standards set forth in this policy.
3. Upon consideration of any request, the chair of the subcommittee will propose requests for names under section 2(a) preference 1, and all requests under section 2(b) preference 2, for consideration by the CFAC.
4. Upon consideration, the CFAC shall present a recommendation on the name of a courthouse to the Judicial Council, which presentation will include the subcommittee's recommendation.
5. Where appropriate, the chair of the subcommittee will be delegated by the chair of CFAC to approve standard courthouse names under section 2(a) of this policy, on behalf of the CFAC of the Judicial Council. This approval shall be subject to ratification by the Judicial Council. Requests for names must have been duly submitted under C.1 of this policy.

### **D. Designation of Courthouse Names in Building Signage and Plaques**

Signage and plaques on buildings shall designate the duly approved names under this policy subject to the following requirements:

1. Standards: All signage and plaques must comply with the requirements of the *California Trial Court Facilities Standards*<sup>1</sup> and its addenda as pertain to signage, use of seals by courts,<sup>2</sup> and plaques.
2. Application of courthouse names: Subject to the foregoing, each state trial courthouse shall have reflected in its exterior signage designated under this policy: "Superior Court of California, County of [County name]" and the Great Seal of the State of California.

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<sup>1</sup> Judicial Council's *California Trial Court Facilities Standards*, 2020.

<sup>2</sup> Gov. Code, §§ 68074, 68076 et seq.