



Commission on Judicial Appointments
350 McAllister Street, San Francisco, CA 94102-4797
<http://www.courts.ca.gov/5367.htm>

NEWS RELEASE

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FOR IMMEDIATE RELEASE

November 21, 2014

Commission on Judicial Appointments to Consider Three Appointments to Courts of Appeal

December 10 Confirmation Hearings set for First and Fifth Appellate District Appointees

SAN FRANCISCO—Three thirty-minute public hearings have been scheduled by the Commission on Judicial Appointments for Wednesday, December 10, 2014, beginning at 2:00 p.m. in the Supreme Court Courtroom, Earl Warren Building, 350 McAllister Street, San Francisco, to consider the following appointments by Governor Edmund G. Brown, Jr.:

2:00 – 2:30 p.m.	Judge M. Bruce Smith, as Associate Justice of the Court of Appeal, Fifth Appellate District (Fresno) <i>Commission members:</i> Chief Justice Tani G. Cantil-Sakauye (Chair), Attorney General Kamala D. Harris, and Administrative Presiding Justice Brad R. Hill
2:45 – 3:15 p.m.	Judge Marla J. Miller, as Associate Justice of the Court of Appeal, First Appellate District, Division Two (San Francisco) <i>Commission members:</i> Chief Justice Tani G. Cantil-Sakauye (Chair), Attorney General Kamala D. Harris, and Senior Presiding Justice J. Anthony Kline
3:30 – 4:00 p.m.	Mr. Jon B. Streeter, as Associate Justice of the Court of Appeal, First Appellate District, Division Four (San Francisco) <i>Commission members:</i> Chief Justice Tani G. Cantil-Sakauye (Chair), Attorney General Kamala D. Harris, and Senior Presiding Justice J. Anthony Kline

The state Constitution specifies that a gubernatorial appointment to the Supreme Court or the Court of Appeal is “effective when confirmed by the Commission on Judicial Appointments.”

The commission consists of the Chief Justice of California, the Attorney General of California, and the Presiding Justice of the Court of Appeal of the affected district or, if there are two or

more presiding justices, the one who has presided longest or, for a nomination to the Supreme Court, the Senior Presiding Justice on any Court of Appeal.

Appointee Summary Biographies

Judge Smith would fill the vacancy created by the retirement of Justice Rebecca A. Wiseman. He has served as a supervising judge of the Superior Court of California, County of Fresno since 2012. Since joining the Fresno court bench in 2000, he has served as Presiding Judge of the court, Assistant Presiding Judge, and Presiding Judge of the Juvenile Division. Judge Smith was a partner at Stammer, McKnight, Barnum and Bailey from 1993 to 2001, where he was an associate from 1988 to 1993. He also served as a deputy district attorney at the Fresno County District Attorney's Office from 1983 to 1988.

Judge Miller would fill the vacancy created by the retirement of Justice Paul R. Haerle. She has served as a judge at the Superior Court of California, County of San Francisco since 2005. Before that, she was a partner at Morrison and Foerster LLP from 1997 to 2005, and chief assistant district attorney at the San Francisco District Attorney's Office in 1996. Judge Miller was a director at Howard, Rice, Nemerovski, Canady, Falk and Rabkin from 1992 to 1996, where she was an associate from 1981 to 1987, and served as an assistant United States Attorney at the United States Attorney's Office for the Northern District of California from 1987 to 1992.

Mr. Streeter would fill the vacancy created by the elevation of Justice James M. Humes to Presiding Justice, Division One of the First District Court of Appeal. Mr. Streeter has been a partner at Kecker and Van Nest LLP since 1997, before which he was a partner at Orrick, Herrington and Sutcliffe LLP from 1989 to 1996, where he was an associate from 1981 to 1988. Mr. Streeter served as a law clerk for Judge Harry T. Edwards at the United States Court of Appeals for the District of Columbia Circuit from 1982 to 1983.

Testimony and Comment

Persons who wish to testify or comment on the appointment must submit their information for receipt by the commission no later than 5:00 p.m. on Wednesday, December 3, 2014.

Anyone wishing to testify before the commission must state that request in writing and include a summary of the facts on which any testimony or opinion will be based.

The commission's address is:

Commission on Judicial Appointments
c/o Chief Justice of California
Supreme Court of California
350 McAllister Street

San Francisco, California 94102

Attention: Secretary to the Commission

The guidelines for the Commission on Judicial Appointments are published as an appendix to the California Rules of Court and are available on the California Courts [website](#).

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The Governor appoints candidates to the Supreme Court and the Courts of Appeal, however, the appointees must be confirmed by the Commission on Judicial Appointments. The commission convenes after the Governor nominates or appoints a person to fill a vacancy on either the Supreme Court or a Court of Appeal. The commission holds one or more public hearings to review the appointee's qualifications and may confirm or reject the appointment. No appellate appointment is final until the commission has filed its approval with the Secretary of State. The commission is comprised of three members: the Chief Justice of California, the Attorney General of California, and the Senior Presiding Justice of the Court of Appeal of the affected district. When a Supreme Court appointee is being considered, the third member of the commission is the state's Senior Presiding Justice of the Courts of Appeal.