

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

Roger John Traynor has become the twenty-third Chief Justice of the Supreme Court of California. This is, indeed, good news to all who have followed the fortunes of that great court in recent years, and it augurs well for the future of justice in the State of California. He comes to his high position with twenty-five years of experience on the court, which is more than that of any Chief Justice in the history of the State. Yet he did not achieve this eminence because of seniority.

California, unlike some states, has no law calling either for rotation of the office or succession to it according to seniority. Governors are free to appoint, subject only to the approval of the Commission on Judicial Qualifications, the most outstanding jurist or lawyer available for the position in the State. And that is precisely what was done in this instance. Governor Edmund G. Brown, in announcing the appointment, stated that he was doing so in recognition of the fact that Justice Traynor had for years been one of the outstanding jurists in America. No better reason could be given, and in this case none less subject to controversy. It would be difficult to imagine a more logical selection or one that would be more widely acclaimed by those who are acquainted with the work of courts of appellate jurisdiction throughout the Nation.

The court on which Justice Traynor sat for so many years has been outstanding under the leadership of his illustrious predecessor, Chief Justice Phil S. Gibson. During the last quarter of a century, it has been faced with and has successfully met every jurisprudential and administrative problem that could be expected to arise in a State supreme court.

Twenty-five years ago, California had a population of seven million people. Today it has over two and a half times that number. There is no more cosmopolitan State in the Union, because here there are people of every race, color, creed, and culture on earth. Nor is there a State of greater diversity in geography, climate, or natural resources. It is larger than most European nations and far more complex in its social, political, and economic life than many. On the one hand, it has great metropolitan areas with world ports and teeming international airports and the commerce they generate. On the other, it has an incomparably diversified agricultural economy as well as a large mountain back country. These factors have naturally brought to the California Supreme Court a wider range of litigation than is to be found in most other States.

There is not one phase of this litigation to which the keen mind and incisive pen of Roger Traynor have not been applied—and in some phases he has been a pioneer. Unafraid to plow new ground, he has planted seed and charted trails that have become landmarks in California jurisprudence. I will not undertake to review these accomplishments here because it will be done seriatim by distinguished lawyers in the chapters of this publication. But this much should be said—if the articles that follow were the final summation of a judicial career instead of the launching of a new and challenging one they would be a fitting tribute to a great jurist.

There is one phase of the work of a Chief Justice of the Supreme Court of California that will not be found in the decisions and opinions of the court. It is that of court administration. None is more important than this one. None has been attacked more vigorously or with greater accomplishment in recent years than by former Chief Justice Gibson. Twenty-five years ago the court structure of California was, like that of most other states at that time, archaic. There was a myriad of courts of limited jurisdiction. Their status as local or state courts was often ill defined, and jurisdiction frequently overlapped. Many of them were not presided over by lawyers, and the judges were mostly ill paid. Little had been done by the State to meet the problems of court congestion. Court administration was in its infancy and in some places almost non-existent.

Since that time, due to the leadership of Chief Justice Gibson and his court, the situation has been reversed. California is now a leader among the most progressive States of the Union in this field. Duplicating courts, conflicting jurisdictions and non-lawyer judges have been eliminated. The Judicial Council and the Commission on Judicial Qualifications have been reorganized and their powers enlarged. An Administrative Procedure Act was created. The hand of the Chief Justice has been strengthened to enable him to cope with the ever present problem of court congestion through administrative action and rules of court. He has been given the assistance of an Administrative Office of the Courts under able leadership. In all of this, the then Justice Traynor had a hand, and he is now admirably equipped to carry on this extremely important responsibility of a California Chief Justice.

Chief Justice Traynor is by nature a scholar and is a profound legal scholar, but this has in no sense circumscribed his vision or his activities in other fields. At the University of California, in successive years, he received his Degrees of Doctor of Philosophy in Political Science and Doctor of Jurisprudence. He soon became a Professor of Law at Boalt Hall, and at the same time was a counsellor to the Governments of both the State of California and the United States in developing procedures

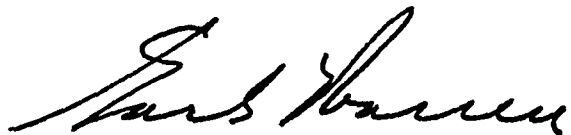
for the administration of their tax laws. He organized the burgeoning tax litigation for the Attorney General of California.

Since becoming a justice of the supreme court, he has carried on extracurricular activities of nationwide importance. He has written numerous articles for legal periodicals, has spoken before many law schools, and has been a pioneer in the field of pretrial criminal discovery. He has spoken on Jurisprudence by invitation in many countries of Europe. He has been a faculty member of the Appellate Judges Seminar at New York University since it was founded seven years ago. His special assignments there are Conflict of Laws and Criminal Law, and I am sure I do not overstate the case when I say that his influence upon the work of the state courts in both fields has been as important as that of any teacher of those subjects or judges. These two subjects are by no means his only interests.

His interest in court reform is well known abroad as well as at home. In this area, he has made a real contribution to the conferences on this subject between British and American judges.

So Californians can afford to rejoice because of the elevation of this greatly talented man to their highest judicial position. Boalt Hall can be most proud of its former student and teacher, and all who follow the course of judicial decisions in the solution of the infinite number of legal problems that arise in our complex society can continue to benefit from his erudition and humanitarianism.

I heartily join the editors of the *California Law Review* in their expression of appreciation to Chief Justice Traynor for his twenty-five years of devoted service to the cause of justice in California. I congratulate him on his appointment as Chief Justice and wish for him many more years of satisfaction in the development of a legal system that will measure up to the high ideals which have motivated him throughout his distinguished career.

A handwritten signature in cursive script, reading "Earl Warren". The signature is written in black ink and is positioned above the printed name.

EARL WARREN

