

12 Jan 2015: SCOCA this year, this month, this week.

In 2015:

We can expect some interesting new trends to develop at the court this year. As of this month, two new members have taken seats on the SCOCA bench: Justice Cuéllar, replacing Justice Kennard, and Justice Kruger, replacing Justice Baxter. Along with Chief Justice Cantil-Sakauye and Justice Liu, who both joined the court in 2011 (replacing Chief Justice George and Justice Moreno, respectively), that makes four new or relatively-new members of the seven-member bench – a majority of the court has served less than four years.

At the time he joined the court in August 2011, Justice Liu was its only member nominated by a Democratic governor. Chief Justice Cantil-Sakauye was nominated by Governor Schwarzenegger in January 2011; Justice Corrigan by Governor Schwarzenegger in 2005; Justice Chin by Governor Wilson in 1996; Justice Werdegarr by Governor Wilson in 1994; Justice Baxter by Governor Deukmejian in 1991; and Justice Kennard by Governor Deukmejian in 1989. Now Justice Liu is one of three members nominated by a Democratic governor.

No one can say how the two newest members will decide cases, and it is rather early in the tenure of Justice Liu to define his jurisprudence. But there are many new factors to consider: four members with less than four years' tenure; three members nominated by a Democratic governor to a court that was dominated by Republican-nominated members for decades (since 1986); three members with no prior judicial experience; two academics; and two new members joining simultaneously. At the very least there is the potential for significant changes in the dynamic of the court and in its decisions this year.

Governor Brown's current three nominees to the court may not be his last. Here at the start of his fourth and final term, Governor Brown looks forward to four years in which another member of the court could retire on his watch. One need not go looking for evidence or speculation about possible retirements; consider these

numbers. Justice Werdegarr secured another 12-year term in her November 2014 retention election. She turns 79 this April, and is the court's oldest serving member. Justice Chin is four years into a 12-year term. He turns 73 this August.

Obviously, all persons of goodwill wish these two well-respected jurists the best of health and a term of service on the court that lasts as long as they desire. But if another justice retires in the next four years, the resulting power to nominate a pivotal fourth member of the court will be an opportunity to form a lasting majority of Brown justices, with potentially great and far-reaching effects on the court, the law, and the state.

It is an interesting time for SCOCA watchers.

In January 2015:

Last week the court heard arguments on the following cases in San Francisco

S205145 People v. Diaz

S213545 Coffey v. Shiimoto

S211840 People v. Loper

S215927 People v. Cook

S064858 People v. Scott

S211596 Tract 19051 Homeowners Association v. Kemp was continued to the February 2015 oral argument calendar.

Monday 19 Jan 2015 is a court holiday.

The week of 12 Jan 2015:

The court has no arguments scheduled this week. The next argument session is the week of 02 Feb 2015 in San Francisco. The argument calendar for that week has not yet been posted.