

Met News

Legal Affairs Secretary:

Newsom Will Look for 'Humility,' Above All, in Appointing Judges

The “top quality” Gov. Gavin Newsom will seek in the judges he appoints will be “humility,” his legal affairs secretary, Martin Jenkins, has related.

In his first public address since stepping down in January from his post as a justice of the First District Court of Appeal to assume the position of an advisor to the governor on judicial appointments, he told those attending a Los Angeles County Bar Association reception for new judges Thursday night that “humility anchors all those other qualities” desired in judges.

He said Newsom, in a conversation with him, listed intellect, integrity and courage as being among those other qualities. The former jurist, whose father was a janitor, remarked that he agrees that humility—which he said includes the ability “to listen”—is the most important attribute to look for in applicants for judgeship.

Newsom’s father, William Newsom, who died Dec. 12, was a justice of the First District Court of Appeal from 1978-95.

Jenkins, who was a judge of the U.S. District Court for the Northern District of California for 11 years before going on the state Court of Appeal in 2008, said he is the first legal affairs secretary in a Democratic administration that has followed a Democratic administration. In the past, he related, records relating to judicial appointments and applications were destroyed when a Democratic governor came into office.

...

California Can Lead the way on Electronic Wills

Julia Craig Kelety

The creation of wills has a long history in our jurisprudence. Common law jurisdictions have carried forward a number of strict requirements for wills that date back to England's Statute of Wills in 1540.

California has kept pace with reforms that are intended to simplify the process of creating a will, so that a person's testamentary wishes are not thwarted by archaic requirements. It now is possible for a person to write a legally binding will on a cocktail napkin, provided that the person signs it with the intent to create a will.

As we adjust to a rapidly changing digital world, it's time for California to consider a new reform to the Probate Code.

To put the matter in context, start with the "baby boomers." For them, it is second nature to pull out a piece of paper, handwrite text, and sign it. The current law works well for the "boomer" generation.

But consider the digital lives of millennials and their successors. They use their devices for writing, banking, bill paying, communication and document storage. They don't learn cursive in school, so the concept of a signature is an anachronism. It's likely that many don't have a pen and paper laying around. They express themselves in text and through social media platforms.

That doesn't mean that they should be precluded from expressing testamentary intent.

What could such an expression look like?

It could be a text message sent after an accident ("the ambulance is coming, it looks bad for me, I love you and want you to have our condo").

...