

Queen’s Bench

NEWSLETTER

QUEEN’S BENCH PAST PRESIDENT PRESIDING JUSTICE BARBARA J.R. JONES RETIRES FROM THE COURT OF APPEAL AFTER TRAILBLAZING CAREER

by Josie Petrick

Please join us in congratulating Presiding Justice Barbara J.R. Jones on her retirement from the California Court of Appeal in September 2020 after 24 years on the Court of Appeal and a stellar 28-year judicial career. Justice Jones served as Queen’s Bench President in 1983. She also co-chaired the Awards Committee in 1990 and served on the Judicial Appointment Committee in 1988-1980. In 2009, Queen’s Bench awarded Justice Jones our Lifetime Achievement Award, and she is a Queen’s Bench Lifetime Member.

Justice Jones was confirmed as Presiding Justice of Division 5 of the First District Court of Appeal in September 1998, the first woman to serve as a presiding justice in the District. She was first nominated to the Court of Appeal in December 1996 by Governor Pete Wilson. She began her judicial career on the San Francisco Superior Court when she was appointed Judge in 1992 and reelected by the People thereafter.

Before becoming a judge, she worked as a civil litigator and became a name partner in her law firm, Bianco, Brandi & Jones in San Francisco.

Justice Jones received her undergraduate degree in History from Duke University in 1965 and her J.D. from University of San Francisco School of Law in 1974. She was a member of the University of San Francisco Law Review and McAuliffe Society, the academic honor society.

Among other notable decisions, Justice Jones is known for her dissent in *People v. Cunningham*, in which she voiced the view that pursuant to U.S. Supreme Court precedent, portions of California’s criminal sentencing laws were unconstitutional because it authorized a judge—and not the jury—to find aggravating facts that would expose defendants to an elevated sentencing range. (*People v. Cunningham* (Cal. Ct. App., Apr. 18, 2005, No. A103501) 2005 WL 880983, at *10 (Jones, P.J., concurring and dissenting), as modified on denial of reh’g (May 4, 2005).) Her dissenting view eventually won the day after the U.S. Supreme Court took up the case and agreed that the California sentencing law violated defendants’ Sixth Amendment right to a trial by jury. (*Cunningham v. California* (2007) 549 U.S. 270.)

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Justice Jones' majority opinions have also positively influenced the development of the law, and have been widely cited in court opinions and leading practice guides. (E.g., *Hahn v Mirda* (2007) 147 Cal. App.4th 740; *Cadlo v Owens-Illinois, Inc.* (2004) 125 Cal.App.4th 513, as modified (Dec. 30, 2004).)

Justice Jones also sat pro tem on the California Supreme Court, participating actively in oral argument and in several decisions by the Court. (*Apple Inc. v Superior Court (Krescent)* (2013) 56 Cal.4th 128; *Galland v City of Clovis* (2001) 24 Cal.4th 1003, as modified (Mar. 21, 2001).)

Under Presiding Justice Jones' leadership, the turnaround time for opinions of the First District, Division Five, was among the most efficient in the State, despite heavy caseloads—a testament to her dedication to the important administrative aspects of her role as Presiding Justice.

Justice Jones has also been active in her legal endeavors off the bench. In 1995, Justice Jones was appointed by the California Supreme Court to its Advisory Committee on the Code of Judicial Ethics, charged with drafting a new code of ethics for California judges. She has advised the Supreme Court ever since on issues related to California's Code of Judicial Ethics as a member of the Advisory Committee.

Throughout her legal career, Justice Jones has taught countless continuing legal and judicial education programs. She has been on the faculty and Planning Committees for California Center for Judicial Education and Research, Civil Law and Procedure Institutes and has served on various Judicial Council advisory committees and working groups.

In addition to her service with Queen's Bench, Justice Jones was honored by the National Association of Women Lawyers in 2003 with

its President's Award in recognition of her work in judicial ethics, and by the San Francisco Trial Lawyers Association in 2005 as Appellate Justice of the Year. Justice Jones is a lifetime member of Queen's Bench and California Women Lawyers. She was President of the University of San Francisco, School of Law alumni association in 1984, and a founding member of the USF School of Law Women Lawyers Committee.

Before attending law school—during which she worked full-time—she was an elementary-school teacher, an editor of social studies textbooks, and staff member in the Washington, D.C. office of a U.S. Congressman.

In her time off, Justice Jones enjoys road cycling. Congratulations, Your Honor!





GOV. NEWSOM SIGNS SB-493 SUPPORTING STUDENT SURVIVORS OF SEXUAL ASSAULT, ENDORSED BY QUEEN'S BENCH

By Josie Petrick

Governor Newsom has signed Senate Bill 493, which will ensure that California colleges and universities provide a transparent and fair process for all students involved in a sexual assault allegation. The bill takes effect on January 1, 2022. In a recent plebiscite, the Queen's Bench membership unanimously voted to support SB-493, organized by Queen's Bench Member Beth Hodess.

The [new law provides](#) that no later than January 1, 2022, postsecondary institutions that receive state financial assistance must comply with training, notice, and investigation requirements related to sexual harassment complaints.

SB-493 was supported by the University of California and the California State University system, and by Queen's Bench, among other organizations. It was co-sponsored by Workplace Justice & Public Policy at the San Francisco-based nonprofit Equal Rights Advocates.

SB-493 was introduced by Sen. Hannah-Beth Jackson (D-Santa Barbara) in response to the Trump Administration's attempts to undermine Title IX (the federal civil rights law prohibiting sex discrimination in federally funded schools).

"The required procedures under the bill are common-sense, and they protect all California students' civil rights and access to education, regardless of rollbacks at the federal level," [said Jessica Stender](#) of Equal Rights Advocates.

According to Sen. Jackson's office, studies show at least one in five U.S. women, one in eight men, and one in four trans or gender non-conforming students experience sexual assault as undergraduates. An estimated 34% of student survivors of sexual assault drop out of college.

"Student survivors of sexual misconduct need to know that they will be heard and respected, not intimidated or silenced," [Jackson said](#). "While the Trump administration seeks to discourage survivors from coming forward, SB-493 will ensure California college campuses address allegations of sexual assault and harassment fairly. All students deserve to feel safe while they pursue their education."

For more background on SB-493, read Sen. Jackson's press release [here](#).

Thank you to Queen's Bench Member Beth Hodess for leading the way to Queen's Bench endorsement of this important law!

QUEEN'S BENCH COMMITTEE UPDATES

LEGISLATIVE AND REPRODUCTIVE RIGHTS COMMITTEE

Beth Hodess And Karine Cargo

In 2021, the Legislative and Reproductive Rights Committee intends to proactively study and report to the Board of Directors and the members on relevant legislative matters.

CENTENNIAL COMMITTEE: GET READY FOR QUEEN'S BENCH 100TH ANNIVERSARY IN 2021!

Clarissa Kang

Did you know that Queen's Bench will celebrate its 100th year in 2021? Our active Centennial Committee has been spearheading an oral history project to capture the insights and memorable moments of some of our longtime members and has been planning our gala celebration for 2021. The oral history interviews, gala planning, and fundraising efforts are well underway. The committee encourages those who are interested to join our standing meetings the last Tuesday of every month at 6 pm. Contact co-chairs Hon. Charlotte Walter Woolard, Alice Purdy, or Clarissa Kang for further details.

THE BOARD SENDS YOU ALL
THEIR BEST WISHES IN THIS
DIFFICULT TIME AND HOPES
THAT YOU AND YOUR FAMILIES
ARE STAYING SAFE AND
HEALTHY. WE ARE HERE FOR
OUR MEMBERS.

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