

EQUAL JUSTICE SOCIETY

January 8, 2010

BOARD OF DIRECTORS

John Bonifaz
James Brosnahan
Kate Kendall
Eva Paterson
Margaret Russell
Anthony Solana, Jr., Chair
Tobias B. Wolff
Eric Yamamoto

STAFF

Eva Paterson
President

David Salniker
*Director of Administration
and Finance*

Miguel Gavaldón
Director of Development

Keith Kamisugi
Director of Communications

Sara K. Jackson
Staff Attorney

Ginger Johnson
Administrative Assistant

Swati Kapadia
Executive Assistant

Claudia Peña
*Judge Constance Baker
Motley Fellow, '08-'09*

Brando Starkey
*Judge Constance Baker
Motley Fellow, '09-'10*

Hon. Phyllis Hamilton
Chair of the Rules Committee
United States Courthouse
1301 Clay Street
Oakland, CA 94612

Hon. Vaughn Walker
Chief Judge
United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102

RE: Civil Local Rule 77-3 and Televised Proceedings for Proposition 8 Trial

Dear Judges Hamilton and Walker:

In the interest of public education regarding critical civil rights issues, we at the Equal Justice Society commend you on the revision to Civil Local Rule 77-3. When the civil rights of a particular community are based on the outcome of a case, that community should have access to the proceedings that will ultimately decide their future. Further, the general public should also be allowed access to the proceedings, so that the community as a whole can understand all sides of an issue or decision that will affect it. As the court has the power to make decisions regarding the civil rights of the public, it also bears the responsibility of allowing those affected or interested to understand the reasoning behind these decisions. We urge you to deny any appeal of this revision as a matter of public education and civic duty.

The challenge to Proposition 8 is a perfect example of a case to which the public must have access. The outcome of this proceeding will affect the right to marry for thousands of Californians. Because marriage is such an intimate and fundamental element of one's life, each person affected has the right to understand the justification behind the court's decision. Also, because this issue is one that Californians have seen on the ballot, the more that the public learns about the legal issues on both sides, the better equipped it will be to vote on this and similar issues in the future. In sum, for the sake of those whose civil rights are at stake, and also for a better-educated voting population, Equal Justice Society advocates that the court televise the trial on Proposition 8, and all similar trials.

Thank you for your time and attention to this matter.

Sincerely,



Eva Paterson
Equal Justice Society