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#### **California Asian-Pacific American Judges Association**

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## August 2023 CAPAJA Newsletter

Dear CAPAJA Member:

We hope everyone is enjoying a beautiful California summer! Here is the CAPAJA newsletter for August.

### NEWS

#### CAPAJA Member Nominated for U.S. District Court in Northern District

On July 27, President Joe Biden nominated Alameda County Superior Court Judge and CAPAJA member Eumi Lee for the federal bench in Northern California. Because the Senate is preparing for its summer recess, Judge Lee will not have a nomination hearing before the Senate Judiciary Committee until at least September of this year. CAPAJA wishes Judge Lee a speedy confirmation process.

#### Governor Appoints CAPAJA Member as New LASC Judge

On July 28, Governor Gavin Newsom appointed one new API judge to the Superior Court of California. The new judge, Evan Kitahara, is already a member of CAPAJA based on his position as a Commissioner of the Los Angeles Superior Court. Congratulations and welcome to the ranks of California state judges, Judge Kitahara!

#### Past CAPAJA President and Incoming CJA President Judge Erica Yew Named to Judicial Council

On June 29, CAPAJA Past President and Incoming CJA President Judge Erica Yew was named by Chief Justice Patricia Guerrero to the California Judicial Council for a one-year term in 2023-2024.

#### CJA Conference/CAPAJA General Meeting/ CAPAJA Dinner September 21<sup>st</sup>-24<sup>th</sup>.

The weekend of September 22<sup>nd</sup> will be a wonderful opportunity to join CAPAJA members at the CJA Conference. Many wonderful events have been planned for that weekend.

On Friday September 22<sup>nd</sup>, CAPAJA and San Diego APA judicial officers invite you to join us for a Welcome CAPAJA Dinner at 7:00 PM. The dinner will take place at Lotus Thai restaurant which is a short drive away from the hotel where the CJA annual meeting and conference will be held. Lotus Thai will be closed to the public during our event so there will be plenty of room for mingling. Judicial officers, significant others/spouses and family are welcome to join us. For \$34 per person, attendees will be provided with two kinds of soup (Tom Yum with tofu and Tom Kha with chicken), appetizer platters, papaya salad and an entrée of their choice (either a stir-fry, noodles, fried rice or a curry with protein options) and dessert (mango with sweet sticky rice).

We will also have our world-famous APA judicial officers trivia contest and gift bags for out-of-town folks. Please RSVP by September 13, 2023 at: [RSVP for 9/22/23 Welcome CAPAJA Dinner.](#)

Please email Selena Epley at [selena.epley@sdcourt.ca.gov](mailto:selena.epley@sdcourt.ca.gov) if you have any questions!

On Saturday September 23<sup>rd</sup> CAPAJA will host its general meeting in person at the CJA Conference as well as on Zoom. Further information will be sent closer to the meeting!

### **Preparing in 2023 for the 2024 Judicial Elections (March 5 Primary and November 5 General)**

*Prepared by: Judge Pelayo A. Llamas, Jr. (Alameda Superior Court) and Judge Tony Cho (Los Angeles Superior Court)*

Superior Court judicial offices serve for six-year terms. If you were last elected in 2018 or were appointed and have not yet gone through an election cycle, you should be aware of the upcoming deadlines.

- September 14, 2023 - November 8, 2023: The signature-in-lieu period
- October 30, 2023 – November 8, 2023: Period to file a Declaration of Intention
- November 13, 2023 – December 8, 2023: The nomination period
- March 5, 2024: Primary election day

You must check with the Election Official for your county to obtain and file the forms needed to be filed to be elected to your judicial office. You must also make duplicate filings with the Secretary of State.

Recently appointed judges should be keenly aware of which year you are up for election, as most will be up in 2024 and others in 2026. You must discuss this with your Presiding Judge or election official in advance. For example, two judges appointed on the same day in 2023 can be up for election in different years.

The benchmark to determine your election year is when the vacancy occurred. It is not determined by your date of appointment or oath of office. Appointed judges are temporarily filling the vacancy until a full-term office holder is elected. The California Constitution, Article VI, defines and establishes the state judiciary. Section 16(c) directs that the vacancy shall be filled by election “at the next general election after the second January 1 following the vacancy ....” Consequently, if the seat you were appointed to was vacated by the prior incumbent on December 31, 2022 or earlier, you are up for election in the November 2024 General Election (and March 2024 primary). A vacancy is not measured by the last day the incumbent reported to work at court, but from the date that all unused leave and vacation was exhausted. That is why the Governor’s appointment announcements always state whose seat the new judge was appointed to fill.

For any judge concerned about being challenged for their seat - if a challenger does not file a Declaration of Intention on time, they are precluded from running with their name on the ballot. There are some twists and exceptions, so you may wish to read Elections Code section 8000, et seq.

The California Secretary of State (SOS) has posted key dates for the 2024 elections. Many do not apply to judicial office. See this [link](#).

### Celebration Held For Incoming CJA President Erica Yew

On July 18<sup>th</sup> a special celebration was held for incoming CJA President Judge Erica Yew hosted by the California Asian Pacific Islander Legislative Caucus and the API Caucus Foundation. A great turnout of **150 attendees**, with many being colleagues of Judge Yew on the Santa Clara County Superior Court and other judicial officers throughout the State.

Other notable attendees included San Jose Mayor Matt Mahan, Santa Clara County District Attorney Jeff Rosen, Santa Clara County Sheriff Bob Jonsen, and a number of local city councilmembers and school board members. See the amazing photos attached!





CAPAJA Board Members joined the special celebration to honor Judge Yew

### **Commissioner Gonong Profiled in DJ**

On July 19, Commissioner Christine Gonong was profiled in the Daily Journal in an article entitled “Commissioner Christine Gonong’s selection to bench was “lifelong dream.” The article discusses Commissioner Gonong’s experience in handling a family law child support docket. It reports Los Angeles Department of Child Support Services as stating “She is known for taking her time with each hearing and providing thoughtful rulings while remaining respectful to all parties and counsel.” It can’t get much better than that, Commissioner Gonong!

### **SAVE THE DATE!!!**

Be sure to save the date for an interactive online program, “Due Process in the Trenches,” currently scheduled for September 28, 2023, from 12:15 to 1:15 pm. This program is a presentation of the CAPAJA Administrative Law Judges Committee, and it will discuss best practices and compare strategies that can be utilized by both trial court judges and administrative law judges. Information on signing up will follow or contact ALJ Dorothy Chou Proudfoot with any questions.

Sonny Sandhu, CAPAJA President  
Terry Truong, CAPAJA President-Elect

*If you have news or know of any CAPAJA member who has been or will be honored, has spoken or will speak at an event, has written an article or is taking a new position, or if you learn of a new potential CAPAJA member, please send an email to Newsletter Editor Holly Fujie at [HFujie@LACourt.org](mailto:HFujie@LACourt.org), and we will feature it in the next newsletter.*