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## In Memory of Justice A. Frank Bray

Few members of the state judiciary have achieved such a long and distinguished record of dedication to the law and to public service as the late Justice A. Frank Bray. Few alumni of Hastings College of the Law can match his deep and constant devotion to his alma mater. In a lifetime spanning almost a century and encompassing a career of over seventy-five years, he has provided us with an inspiring example of commitment to the rule of law, the administration of justice, the advancement of legal education, and the well-being of the people. His death on January 1, 1987, signaled a profound loss to his profession, to his community, and to the entire state.

Justice Bray was born in Butte, Montana in 1889 and came to California in 1904. He attended the University of California at Berkeley and Hastings College of the Law, receiving his degree of Bachelor of Laws in 1910. Admitted to the California Bar and to the bar of the United States District Court in the same year, he began the private practice of law in San Francisco. In 1912 he moved to Martinez where he lived for the rest of his life. There he established with J. E. Rodgers the law firm of Rodgers & Bray which continued until his appointment as superior court judge. There also the young lawyer immediately entered into community activities with a zest and innate talent for leadership that were to be manifested throughout his life. Among his first clients was John Muir, California's renowned naturalist and "father" of our National Parks and Forest Reservations, who had made Martinez his home for many years. At a later time Justice Bray was one of the few persons responsible for the preservation of the John Muir Home and gardens and for their fitting recognition as a National Historic Site. During his years in the private practice of law Justice Bray also served as a deputy district attorney in Contra Costa County and as City Attorney of Martinez, Pinole, and Concord. It was in Martinez at the very start of his career as a lawyer that he met and married Leila Elizabeth Veale, his wife for seventy years, affectionately remembered by his friends and colleagues as the dignified and gracious companion who championed his many causes. They are survived by one son, A. Frank Bray Jr., an East Bay lawyer, and three grandchildren—Oliver, Brian, and Margo Bray, the first of whom is also admitted to the California Bar.

In 1935 Governor Merriam appointed Frank Bray to the Superior

Court of Contra Costa County. Thus began a long, distinguished, and extraordinary judicial career which, including his service in retirement, continued until he was ninety years old. Despite the ever-increasing responsibilities of the Superior Court, he found time, not merely to join, but to assume active roles and leadership duties in an incredibly large number of organizations and programs. Quite apart from several fraternal societies, he was a member of the Contra Costa Juvenile Justice Commission, a director of the Martinez Community Hospital and of the Martinez Boys' Club, a member of Boards of Trustees of local school districts, and the holder of high offices in the Boy Scouts of America. From the last-named, he received the highest award in the nation for a lifetime devotion to scouting. During World War II he was a member of the Contra Costa Council of Defense and County Chairman of the U.S.O. and of the California War Chest. For many years, as a superior court judge, he delivered a widely followed weekly radio program broadcast by a major East Bay station, analyzing and commenting upon opinions of the California Supreme Court and Courts of Appeal which he considered to be of significant historical or current interest.

On February 21, 1947, Governor Earl Warren appointed Judge Bray an Associate Justice of Division One of the First District Court of Appeal. He joined colleagues Presiding Justice Raymond E. Peters and Justice Louis H. Ward. Twelve years later, upon the elevation of Justice Peters to the Supreme Court, Governor Edmund G. Brown, Sr. appointed Justice Bray Presiding Justice of Division One. He retired from this office in 1964.

In a division of the Court of Appeal noted among both the bench and the bar for its inauguration of the so-called "conference system," its "long" opinions, its judicial creativity in solving the problems of a changing society, and its receptiveness to full oral argument, Justice Bray was an ideal addition. Undaunted by the isolation of a different type of court, and bringing to his new colleagues an invaluable contribution of knowledge and experience garnered from private practice and the trial bench, he responded with his customary energy and enthusiasm. Recognition of his extraordinary talents and ability followed almost immediately. He was elected President of the Conference of California Judges and became Chairman of its Committee on Judicial Ethics; he was appointed by the Chief Justice a member of the Judicial Council of California and became Chairman of its Committee on Extraordinary Writs. Notwithstanding all these accomplishments, it is beyond any question that Justice Bray made one of his most significant contributions to the judiciary and to the people of California as the first Chairman of the Commission on Judicial

Qualifications, now known as the Commission on Judicial Performance. California, in the forefront of a nationwide movement for the investigation and discipline of judicial misconduct and for the removal of judges for misconduct and disability, established the Commission in 1960. Presiding Justice Bray served as its chairman for approximately five years until his retirement in 1964. Although technically elected by his fellow commissioners, it was common knowledge at the time that he was personally selected by Chief Justice Phil Gibson for his extraordinary ability, experience, and temperament. Justice Bray's leadership in this sensitive and thorny area molded the Commission and imparted to it the direction, stature, and effectiveness needed to realize its goals. The California Commission received national recognition and its chairman, lauded throughout the state, was sought by other states for consultation and assistance.

One would expect that these activities would consume all his time and render him personally exhausted. Far from it! There were still more interests: Organizer and first President of the Contra Costa Historical Society; trustee of the California Historical Society; Chairman of the State Bar Committee on the History of Law in California; member of the Board of Directors, Martinez Chapter of the American Red Cross; member of the San Francisco Board of the Salvation Army and State Chairman of the Salvation Army Advisory Committee for the Lytton School; member for several terms of the Board of Governors of the Commonwealth Club of California; and finally a member for thirty-two years (1951-1983) of the Board of Directors of Hastings College of the Law. He was also a past president of the Hastings Alumni Association, a director of the Hastings Center for Trial and Appellate Advocacy, a member of the 1066 Foundation, and a recipient in 1976 of the Alumni's U.C. Centennial Medal as Hastings' outstanding living alumnus.

During his seventeen years as a member of the Court of Appeal it is estimated that Justice Bray authored about nine hundred opinions on a wide range of civil and criminal cases. He was held in high esteem by the entire membership and staff of the First Appellate District. He was by nature modest, kindly, warm, and friendly. In his own division he had the deep respect and affection of his colleagues because of his effective management of the court, his dignity and courteous treatment of counsel, his scholarly work product, and his constant thoughtfulness, camaraderie, and good humor. Indeed he was a judge's judge, as he had been a lawyer's lawyer.

It was a consequence of his unique personality and his complete dedication to the law that retirement from the bench in 1964 at age sev-

enty-five did not bring an end to Justice Bray's judicial career. Provided with new chambers, he actually never left the court and continued to serve under assignment by the Chief Justice in all divisions of the First Appellate District and in other appellate districts as well as on various trial courts throughout the state. This service lasted for fifteen years until he reached ninety years of age. Colleagues estimate that during this period he authored six hundred more opinions making his judicial product a grand total of fifteen hundred opinions.

Devoted to the law, indefatigable in countless causes, devoid of all pretensions, magnanimous beyond measure, gifted with an unerring sense of fairness, Justice Bray was the epitome of justice and humanitarianism. We shall greatly miss this unique and selfless man.

*Raymond L. Sullivan\**

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