



Public Information Office
United States Courts for the Ninth Circuit

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NEWS RELEASE

January 29, 2015

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Court of Appeals Mourns Passing of Senior Circuit Judge Arthur L. Alarcón

SAN FRANCISCO – Senior Circuit Judge Arthur L. Alarcón of the United States Court of Appeals for the Ninth Circuit died Wednesday evening, January 28, 2015, at his home in the Pacific Palisades area of Los Angeles. Judge Alarcón, who had been diagnosed with cancer last September, passed peacefully with his devoted wife Sandra at his side. He was 89.

“Judge Alarcón dedicated his life to the law and the pursuit of justice and was highly esteemed by his colleagues and members of the bar,” said Ninth Circuit Chief Judge Sidney R. Thomas. “Over many decades, he was a significant force in improving the administration of justice, not only in California, but throughout the Ninth Circuit.

News of Judge Alarcón’s passing has drawn comment not only from colleagues but also notable friends among elected officials.

“Art Alarcón and I worked together when he was head of the California Adult Authority, and we formed a close personal friendship that lasted decades,” said U.S. Senator Dianne Feinstein of California. “He was a person of deep thought and great integrity who served the people of California as a judge for more than 50 years.

“He had a keen intellect, a real love of the law, and was committed to justice for all,” Senator Feinstein continued. “I will always remember his booming laugh, which was one of the world’s best. I will miss him very much.”

Among colleagues, Judge Alarcón is remembered for his easy friendship and gentlemanly manner:

“We have lost a most gracious and dedicated colleague, who lived a life rich in California history. Judge Alarcón will be missed by all who knew him,” said Chief Judge Emeritus Mary M. Schroeder.

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“Judge Alarcón was an old-school gentleman. He had an easy laugh, a modest demeanor, a kind word for everyone, and was unfailingly gracious to everyone, whether you were a judge or the janitor,” said Circuit Judge Barry G. Silverman. “Judge Alarcón also happened to be very smart and blessed with an innate sense of fairness and good judgment. I admired him greatly, both on and off the bench.”

“Judge Alarcón warmly welcomed me to the court 35 years ago. His good spirit and winning smile remained in full force for the rest of his life,” said Senior Circuit Judge William C. Canby. “He was a fine colleague and a highly productive judge. We will miss him greatly.”

“Arthur was a hero of mine, a wonderful colleague, and a gentleman,” said Senior Circuit Judge Andrew Kleinfeld.

Judge Alarcón celebrated his 50th year as a judge in 2014. Most of that half-century of judicial service was as a federal appellate judge. Nominated by President Carter, he came onto the Ninth Circuit bench in 1979, becoming the first judge of Hispanic descent to sit on the court. He served as an active judge until taking senior status in 1992. He maintained a full caseload and continued to work for a time even after his diagnosis, never letting on to colleagues about his illness.

Always prepared to lend a hand to other courts, Judge Alarcón has the distinction of having sat by designation with the courts of appeal of six other federal circuits, including, most recently, the Sixth Circuit last summer. He also took pride in participating in international judicial exchange programs, working with judges in Chile and Argentina.

“Judge Alarcón was, for me, the gold standard in judicial excellence, demeanor, and personal integrity,” said Pepperdine Law School Dean Deanne Tacha, the former chief judge of the 10th Circuit Court of Appeals who sat with Judge Alarcón several times.

Prior to his appointment to the federal bench, Judge Alarcón had served as a judge of the state courts in California for 15 years. Appointed by Governor Jerry Brown, Jr., he served as an associate justice of the California Court of Appeal for the Second Appellate District in Los Angeles from 1978 to 1979. He was appointed to the Los Angeles Superior Court by Governor Edmund Brown, Sr., and served from 1964 to 1978.

Judge Alarcón also worked previously in the administration of the first Governor Brown, serving as a legal advisor and the clemency and extraditions secretary, from 1961 to 1962, and, from 1963 to 1964, as an executive assistant responsible for investigations to assist the governor in deciding whether to commute death sentences received by state prisoners. He also briefly served as chair of the California Adult Authority, the parole board for men.

Over his long career, as a judge and lawyer, Judge Alarcón has been intimately involved in literally life or death decisions. The knowledge and experience gained led him to seriously question the efficacy of capital punishment and, in recent years, he advocated vigorously for reform of the death penalty system. He co-authored a 2011 article in the *Loyola Law Review* titled “Executing the

Will of the Voters?: A Roadmap to Mend or End the California Legislature’s Multi-Billion Dollar Death Penalty Debacle.” He also published “Remedies for California’s Death Row Deadlock,” printed in the University of Southern California Law Review in May 2007.

Judge Alarcón co-authored three books with Judge Charles W. Fricke: *California Criminal Law*, *California Criminal Procedure*, and *California Criminal Evidence*.

Born in Los Angeles, the son of a baker, Judge Alarcón is very much a self-made man. He served in the Army during World War II and was the recipient of the Combat Infantry Badge, 4 Battle Stars, Bronze Star and a Purple Heart. He went to school using G.I. benefits, attending the University of California at Los Angeles before earning his B.A. in political science from the University of Southern California in 1949. He received his LL.B. in 1951 from the USC School of Law, where he was editor of the Law Review. He also received an honorary Doctorate in Law Degree from the Southwestern School of Law in 2007.

Judge Alarcón served as an adjunct professor at University of Southern California, Loyola Law School, and the Southwestern School of Law.

As noted by his career law clerk, Kathryn Lohmeyer, Judge Alarcón “didn’t seem to understand the idea of slowing down.” While too numerous to list fully, his civic involvements include service on the boards of directors of such Hispanic groups as Las Familias del Pueblo, Jardin De La Infancia, the Mexican-American Scholarship Foundation Assisting Careers in Law, and the Council of Mexican-American Affairs. He also served on the boards of the Los Angeles Boys and Girls Club, Performing Arts Council for the Los Angeles Music Center, and the Junior League of Los Angeles. He was instrumental in broadening the mission of the Los Angeles Boys Club, so that it became The Boys and Girls Club nationwide.

The recipient of numerous accolades, Judge Alarcón recently received 2014 Judge of the Year Award from the Los Angeles County Bar Association, and the Precursor Para Justicia / Pioneer for Justice Award from the Mexican American Bar Foundation in 2010.

Judge Alarcón is survived by his wife of 35 years, Sandra; two sons, Los Angeles Superior Court Judge Greg Alarcón and his wife, attorney Helen Lemmon Alarcon, and attorney Lance Alarcón and his husband, Scott Alarcón; a daughter, Dr. Jan Alarcón; grandchildren Laura, Melody and Pauline; a great-grandson, Vincent; two sisters, Maria Alarcón and Angelina Glomb; and a loving extended family of nieces, nephews and cousins.

Funeral services will be held Friday, February 6, 2015, at 9:30 a.m. at Cathedral of Our Lady of the Angels, 555 West Temple Street, Los Angeles. Arrangements are being made for burial in Arlington National Cemetery in Arlington, Virginia.

In lieu of flowers, the family suggests making donations in memory of Judge Alarcón to two veteran support organizations:

Wounded Warrior Project:

To make a one-time gift in the judge's honor, please call 1-855-448-3997, or donate online by going to "donate now" link on website <http://www.woundedwarriorproject.org/>, or mail to:

Wounded Warrior Project
In Honor of Hon. Arthur L. Alarcón
P.O. Box 758517
Topeka, Kansas 66675

LACBA Veterans Assistance Project:

Contribution Link: <http://weblink.donorperfect.com/VA>

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The Ninth Circuit Court of Appeals hears appeals of cases decided by executive branch agencies and federal trial courts in nine western states, the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands. The court normally meets monthly in Seattle, San Francisco and Pasadena, California; every other month in Portland, Oregon; three times per year in Honolulu, Hawaii; and twice a year in Anchorage, Alaska.

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