



**SFDCCC Candidate Questionnaire
Superior Court Judge - March 2020**

Name Carolyn Gold

Address _____

City, State, Zip _____

Campaign Phone Number _____

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Are you a registered member of the Democratic Party? Yes No

Have you read the California Democratic Party Platform? Yes No

Will you fight for its implementation in policies? Yes No

What office and which seat are you running for? S.F. Superior Court Judge, Seat 2

What other elected positions have you held previously?
None



PART I: GENERAL QUESTIONS (200 words or less)

1) Are you a registered member of the Democratic Party? **Yes**

2) Please describe your contributions to the Democratic Party and/or increasing civic engagement in the democratic process at the local, state and or/national level in recent years.

My civic engagement has been less with political parties and candidates and more working on supporting affordable housing reform as well as working to ensure the economic health of the non profits that serve the people of San Francisco. I have worked on the Prop C campaign to ensure more money to end homelessness and the Prop F campaign to ensure a Right to Counsel to tenants being evicted in San Francisco. I sit on the Board of BACLF, the supporting nonprofit to the National Lawyer's Guild and the San Francisco Tenants Union as the Board President.

3) Are there any other civic causes or organizations that you are involved with currently? Please describe. **I founded and sat as the Board President for 15 years of the Eviction Defense Collaborative until 2013.**

4) Please list any organizations or elected officials who have endorsed you. **Supervisor Matt Haney, Supervisor Rafael Mandelman, Supervisor Dean Preston, Supervisor Hilary Ronen, David Campos, John Avalos, Chief Public Defender Matt Gonzalez, Jim Brosnahan, a partner a Morrison and Foerster, Tom Loran, a partner at Pillsbury, Dorothy Fernandez, pro bono counsel for Morrison & Foerster, Bill Hirsch who is the Executive Director of AIDS Legal Referral Panel and Laura Chiera who is the Executive Director of Legal Assistance to the Elderly.**

PART II: SHORT-ANSWER QUESTIONS (250 Words or less)

- 1) What do you perceive as the strengths of the Superior Court? What are the current weaknesses and how would you like to see the judicial system improved?

Our Superior Court has done a good job recently with working on Access to Justice issues such as working in conjunction with the Right to Counsel Lead Agency for tenants being evicted and increasing the number of Court translators for monolingual litigants. Much of this comes only after responding to Court challenges so the Bench needs more people like myself who have represented real people with real problems who understand the barriers litigants like the average person have when accessing the courts. The courts could also work on transparency. Much of the decisions the Court makes regarding who will sit in what department and how much money will be spent on help for pro per litigants through the Court's ACCESS center are made in private meetings. The Court is a public institution and it serves the people of San Francisco and its inner workings should not be shrouded in secrecy.

- 2) Please summarize your qualifications and experience for the office you are seeking. Have you ever had any experience with management?

I have been a civil litigator for over 30 years, having been a member of the bar since 1987. I practiced in a small 2 person firm of De Vries & Gold for 14 years focusing my practice on landlord-tenant law, including discrimination, wrongful eviction and habitability cases. I spent 4 years as a litigator for the preeminent firm on affordable housing law, Goldfarb & Lipman. I spent 2 years as a private mediator and during that time also worked as a Judge Pro Tem and volunteered for the Bar Association's Early Settlement Program. I then turned to the public interest and worked for the Bar Association of San Francisco's Justice and Diversity Center where I ran two extremely successful pro bono programs, one where I trained and supervised pro bono lawyers to take full scope eviction defense cases, and one where I trained lawyers to be able to represent pro per tenants and small landlords at their settlement conferences before their eviction trials. I oversaw at least 10,000 settlements often supervising up to 15 lawyers at a time with 15 different cases in one afternoon. I currently am the Director of Litigation and Policy for the Eviction Defense Collaborative, the Lead Agency chosen by the City to implement the Right to Counsel for tenants being evicted. In this role, I supervise 9 litigation attorneys, 3 paralegals, 1 social worker and 7 intake staff.

- 3) Have you ever had to support a legal position that was contrary to your personal moral beliefs? Please describe.

I have not. The closest I came to this was in an eminent domain case where I did not feel that my expert's valuation of the business was fair, but my client, a redevelopment agency still wanted to use this expert at trial. In general, although law school tries to teach you to be a hired gun, I went to law school so I could do social justice work and despite the economic challenge of such a choice personally, I never have trouble sleeping at night over a moral dilemma.

4) What do you perceive are the primary causes of the high rates of incarceration among communities of color? Do you believe the Court has a role to play in criminal justice reform? **First and foremost, the entire War on Drugs seemed to be a means to lock up low income men of color. For instance, sentences for crack possession are much higher than sentences for cocaine possession. Crack is more prevalent in low income communities because it is cheaper than cocaine. Thus, a disproportionate number of people of color received longer sentences. Additionally, prior to our State's legalization of marijuana, use of marijuana by whites and people of color occur were similar, but arrests of people of color were substantially higher. Courts need to be part of criminal justice reform by looking at alternatives to jail, such as treatment programs and education.**

5) What is your perspective on the current bail schedule? How did you arrive at that understanding? How can the system be reformed? **I approach the issue of cash bail as one aspect of my larger concern about equal access to justice. I am sensitive to the inequity of a system in which two people may be accused of the same crime, and may pose the same amount of risk to the community or of flight, but the one gets out of jail because s/he has the resources to post bail, and the other one sits in a cell waiting for a trial or further legal proceedings. While I will enforce the law as it stands, I believe the system needs to evolve towards equal treatment of these two people. The primary issue for me in such circumstances would be whether the individual poses such a danger to the community, or (in serious cases) such a flight risk, as to justify keeping him or her incarcerated until trial.**

6) San Francisco is facing a car break-in epidemic that is perceived to be organized by crime networks. What do you believe are the factors leading to this problem? **What is the court's role in preventing offenders returning to crime? Factors leading to the car break-in epidemic seems to be a lack of regular patrol by police in ways that will help to discourage this hit and run crime. Other factors are the lack of indoor parking for so many cars in San Francisco. Generally, Courts should look behind the reason a crime was committed, the background of the individual, the education of an individual, and other contributing factors to help determine what the best form of "punishment" should be and the Court should be looking to increase help with drug treatment and increase educational opportunities for defendants so that when they are released some of those underlying causes for committing the crime have been addressed.**

7) How does your background and experience prepare you for legal cases pertaining to the rights of women, people of color, people with disabilities, and LGBTQ? **When I was in law school in the mid 80's and worked as a clerk at legal aid, there was not a single woman attorney in my housing unit. It made me want to become the best lawyer and advocate to show my superiors that women were just as capable as men of being strong trial advocates. My son was born with a rare form of dwarfism requiring 8 surgeries in his childhood. He still has a very serious mobility disability. When we go places I have to think whether he will be able to walk as far as we will need to be able to get in. For instance, the ballpark has no handicapped parking near the park so he cannot go to baseball games. Over the years I have helped dozens of LGBTQ clients faced with losing their housing. Sometimes the reasons for the eviction were the result of discrimination either in a job causing an inability to pay the rent, or by some property manager resulting in harassment. I will bring all of this experience to the bench and it will help to inform my decisionmaking and treatment of the lawyers and litigants in my courtroom.**

8) Do you believe there should be implicit bias training for judges? Why or why not?

I believe implicit bias training should be required of judges and other court staff that have to interact with the public. The reason it is necessary is in the words themselves: implicit bias is bias that an individual is unaware of but impacts their decisions. With training, a person can become more self aware and can check their bias at the door to the courtroom. Without this training, judges will continue to have a lack of insight into the unconscious ways bias is affecting their decisions.

9) Does the court have a role in determining the outcomes of those with mental illness or the homeless who are caught up in our criminal justice system? If so, what is that role? **The courts can't solve homelessness or the lack of mental health help in this city. However, the courts can and should look at what resources are out there to aid the people being brought to court simply because they don't have a home or have a mental health disability. They should push for social workers in the court system.**

10) Should the court ensure a fair hearing in the case of pro per or unrepresented litigants in family court or housing court? If yes, how can the court improve the process to ensure fairness in these types of proceedings? **The Court in theory could order private lawyers to represent the unrepresented in family court and housing court. However, assigning random lawyers to these cases without adequate training for the lawyers may not be any help at all to the litigants. The court should work with and cooperate with outside programs that are working to increase representation to low income litigants in housing court and family court. For instance, when we began our Attorney of the Day program for tenants and small pro per landlords in the court on settlement conference**

days, the court was resistant to our services. First, they said, a lawyer could not go in to the Judge Pro Tem, but could stand in the hall so a tenant could come out and ask a question. Eventually, the court saw the error in this method and began cooperating with our program to allow actual limited scope representation of tenants at settlement conference.

11) What do you perceive are the biggest obstacles the court faces in civil litigation? How can this be improved to best serve the general public?

The court's budgets have been cut in recent years and these cuts have a direct impact on litigants and especially low income litigants. When the court removed court reporters from each civil courtroom, it left low income litigants without the means of making a record unless they could somehow find the funds to pay a private court reporter. Hours at the ACCESS center which helps litigants without lawyers have been slashed. Better funding is key to ensuring fairness to all litigants and the court needs to spend time in Sacramento advocating for this funding so that all people can have equal access to the Court.