

ELECTION 2002

As everyone knows by now, Republicans did very well on the national scene in the Tuesday, November 5, election, and Democrats did very well here in California. Although the race for Controller is still to close to call -- there are over 620,000 ballots remaining to be counted -- Democrats could occupy every statewide office in January 2003. In addition, the Democrats will continue to have significant majorities in both houses of the Legislature. (For a detailed breakdown, see the [Special Election Edition](#) of the "Capitol Connection" published by the Administrative Office of the Courts' Office of Governmental Affairs.)

Democrats currently control the Senate with a 26-14 majority. That margin will either stay the same or diminish by one, depending on the outcome of the 12th Senate district race, which currently is to close to call. At press time, Democrat Rusty Areias was leading challenger Jeff Denham by about 200 votes (the number seems to change hourly), with somewhere between 20,000 and 30,000 ballots remaining to be processed. Compounding the problem is the fact that a significant number of those ballots are classified as "[provisional ballots](#)" - which means they will be counted but their legitimacy needs to be verified.

In the Assembly, the Democrats' current 50-30 majority will be reduced by at least two seats, to 48-32. And there is a chance the Republicans can pick up a third seat. The 30th Assembly district is also to close to call. The election night returns showed Democrat Nicole Parra leading Republican Dean Gardner by less than 475 votes, with a substantial number of absentee ballots still to be counted.

LAWYERS IN THE LEGISLATURE

A preliminary count indicates that the number of lawyers in the California Legislature has dipped slightly with the outcome of Tuesday's election (it is often hard to tell, since attorneys do not always advertise themselves as such in their campaign

materials). The Senate stayed basically the same, losing one practicing lawyer (Republican [Ray Haynes](#)) and gaining one law school graduate (Democrat [Gil Cedillo](#)). Overall, there will be 15 law school graduates in the 40-member Senate (37.5%), 13 of whom are admittees to a Bar (12 California, 1 Massachusetts).

In the 80-member Assembly, on the other hand, the number of law school graduates appears to have dropped from 18 to either 17 (21.3%) or 16 (20%), depending upon the result of the aforementioned 30th AD race (Parra is a law school graduate). The number of actual licensed attorneys declined from 15 to 14 (17.5%).

Although the number of Assembly attorneys has remained virtually the same, the partisan split of those attorneys has changed substantially. Of five licensed attorneys leaving the lower house due to term limits, three were Democrats (former Speaker [Bob Hertzberg](#), [Howard Wayne](#) and newly-elected Secretary of State [Kevin Shelley](#)) and two were Republicans ([Rod Pacheco](#) and [Phil Wyman](#)). In contrast, all four of the incoming licensed attorneys are Republicans, including former Senator Haynes, now back in the lower house, [Rick Keene](#) (3rd AD), [Greg Aghazarian](#) (26th AD), and former prosecutor [Todd Spitzer](#) (71st AD). The party affiliation of licensed attorneys in the Assembly thus shifts from an 11-4 Democratic advantage to a much narrower 8-6.

AROUND THE CAPITOL

On Wednesday, the Senate Republicans unanimously re-elected [Jim Brulte](#) as their leader. Brulte said he asked if anyone wanted the job as leader and was greeted with a responsive chorus of "I don't want it." Brulte said: "I'm honored the Senate Republicans haven't thrown me out yet. Someday they'll see the light."

In the Assembly, Speaker [Herb Wesson's](#) office reports that yesterday the Assembly Democrats elected Wesson as its nominee for the Assembly's speakership. The Republicans announced that [Dave Cox](#) was unanimously re-elected as Assembly Republican Leader.