

DA on list for Superior Court

Wilson may name Danner to vacant local judicial post

District Attorney

By **MAY WONG**
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SANTA CRUZ — District Attorney Art Danner may soon be a judge.

Danner, who has been the county DA for the past 20 years, has been named as a finalist for a judicial appointment to fill a Superior Court vacancy.



Danner

On a short list for Superior Court judge.

The veteran prosecutor is among five known contenders for the job, but political and legal observers — including another candidate vying for the appointment — believe Danner is the front-runner.

"It would be a minor miracle if

he's not appointed," said one political activist who spoke on the condition of anonymity.

Gov. Wilson is expected to decide in December, before his term ends Jan. 2, said John Davies, the governor's judicial appointment secretary.

Danner

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If Danner, 55, is appointed, it would be up to the county Board of Supervisors to name his replacement. That appointee's term would last until the March 1999 election, when county voters will get to choose who they want to be district attorney, effective immediately, according to County Counsel Dwight Herr.

The judicial vacancy in Santa Cruz County stems from the 1996 death of Superior Court Judge Tom Black, who was replaced earlier this year by Municipal Court Judge Robert Attack. The vacancy is among nine statewide.

Because the nomination process is confidential, Davies declined to confirm the identities of the finalists under consideration by the State Bar's Commission on Judicial Nominees Evaluation. That panel rates judicial candidates for the governor.

"I can only say there are several candidates," Davies said.

But in the tight-knit legal community of Santa Cruz County, word spread quickly Monday that Danner, who was elected in June for his sixth term, was the latest to join the finalist list for the judgeship.

Other known candidates are Assistant District Attorney Paul Marigonda, and civil attorneys Thornton Kontz, John Gallagher, both of Santa Cruz, and Cheryl Ontiveros of Monterey County.

With the exception of Danner, all are first-time judicial applicants.

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— **Christine McGuire**,
assistant district attorney

And many are saying Danner's candidacy is stronger than ever.

"He probably has the leading opportunity and he has the connections," said Kontz, who is also being considered for the appointment.

"I think this governor would have a lot of confidence in (Danner's) ability to be a judge," said Assistant District Attorney Christine McGuire. "Not only does he know him, he's worked with him."

Danner's tenure is one of the longest California. He has also been president of the California District Attorneys Association and has served as a consultant — despite his registration as a Democrat — to Wilson on numerous law enforcement issues.

The outgoing Republican governor also twice appointed Danner to the state Lottery Commission.

Some say, however, that the most significant indicator is how Danner became a finalist: instead of applying on his own or at the request of colleagues, the governor himself asked Danner to apply.

"The governor asked me to allow my name to be submitted and I said I would," Danner said Monday.

Danner said it was a difficult decision, especially since he successfully ran unopposed in June for his sixth term, which is scheduled to begin in January.

"I appreciate the people who have supported me ... and I still enjoy the job (as district attorney) and what it brings to the community," Danner said.

But judicial appointments "are opportunities that don't come along every day. If the offer was made, I'd seriously consider it," Danner said.

Danner declined to elaborate on when his nomination became official. He announced it to his staff Monday.

The news of his possible appointment quickly sparked furious speculation on who his successor might be.

Some observers say Chief Deputy District Attorney Kate Canlis, a former Municipal Court judge in Sacramento, is the heir apparent.

"I don't think there is any doubt in my mind that Chief Deputy Kate Canlis is the best person to run this office," Danner said.

But whether others — county supervisors and voters — agree with Danner is unclear.

Observers named other possibilities whom the Board of Supervisors might consider. Among them: retiring Judge Bill Kelsay, Chief Deputy District Attorney Jon Hopkins, and prosecutors Christine McGuire and Bob Lee.