Neutral Harry Low knows how to clean up legal messes and get warring parties to settle to their satisfaction.

By John Roemer  
Daily Journal Staff Writer

Call Harry W. Low a fireman. The former state court judge and appellate justice and current San Francisco JAMS neutral, now 81, has interrupted his day job refereeing business disputes a dozen times or more over the years to rush to contain blazing political and legal crises as they have exploded around the state.

When an underlying accused then-Solano County Public Defender Marvin A. Brooker of snorting cocaine in the office in 1994, Low interviewed 50 witnesses and found no corroborating evidence.

In 1996, when someone leaked a State Bar commission’s “not qualified” rating of Court of Appeal Justice Janice Rogers Brown for the state Supreme Court, Low was assigned to find the leaker. His three-month investigation came up empty but cleared several suspects.

When then-Insurance Commissioner Charles Quackenbush, considered a rising Republican star, resigned from the state’s scandal-ridden Insurance Department in 2000, Gov. Gray Davis called on Low to step in for two years as interim commissioner to restore integrity to the office.

Low served as president of the San Francisco Police Commission from 1992 to 1996. There, he scolded then-Chief Anthony Ribera over his handling of sexual harassment charges by a female officer. Low also approved the firing of the previous chief, Richard Hongisto, for ordering officers to steal newspapers that featured a salacious front page lampoon showing Hongisto holding a nightstick in a lewd manner.

In addition, Low has been president of the city’s Human Rights Commission and almost too many civic committees and charitable boards to count. He’s on Democratic Sen. Dianne Feinstein’s judicial selection committee and still reviews San Francisco police evaluations of errant officers for department brass.

“There’s always something popping,” Low said in a recent interview. “When the bell rings, I generally respond. You know, when I got to the insurance department, there was the FBI investigating misuse of funds. When I took the human rights job, the FBI came in the first week to seize records to do with airport contracts. Seems like every time, the FBI was there to say welcome.”

Low’s vast experience informs his work as a neutral. “Sometimes, fights in bars or casinos lead to claims based on alleged lack of security, for instance,” he said. “The parties figure, Well, Harry was police commissioner, so he might know something about this.”

The same can be said about cases that take advantage of his insurance commissioner and investigative backgrounds.

His unique status as the only Chinese-American at JAMS San Francisco office is also a plus. “Asian clients appreciate that I have a cultural understanding,” he said, “although my Cantonese is somewhat weak and I use an interpreter.”

Low recalled, “I had a case where a male Asian landlord was accused of sexually harassing a female Asian tenant. It turned out she partly agreed to have sex in exchange for rent. Then she sued. Two Asians, a lot of emotion. It involved sexual harassment law, insurance coverage law, even the law of trespass. But I left them satisfied.”

Low also deals with internecine fights within Chinatown’s family associations. And, “I’m dealing with a rather large Korean company with claims against a phone manufacturing company,” he said.

Steve A. Lamon, a partner at Murphy Austin Adams Schoenfeld LLP in Sacramento, said he’s used Low in several cases. “Construction, real estate, other matters — Justice Low is among the best mediators and arbitrators I’ve experienced in my 26 years of practice,” he said.

“He can distill a mountain of complicated information and issue a straightforward, common-sense decision that excludes irrelevancies,” Lamon added. “He’s an excellent judge of character. In one recent case, I had 16 individuals on my side against a big nonprofit on the other. There were a lot of personalities in the room, and Justice Low brokered an excellent solution.”

Low was born in 1933 to the only Chinese-American family in Oakland, east of Modesto. After graduating from what is now UC Berkeley School of Law in 1955, he served as a deputy attorney general in Gov. Pat Brown’s administration. Brown put him on the San Francisco Municipal Court bench in 1966, the first Chinese-American judge in Northern California.

He ran for and won a Superior Court seat in 1974; Gov. Ronald Reagan appointed him to fill an unexpired term before Low began serving in his elected position. Pat Brown’s son, Jerry, at the end of his first term as governor, elevated Low to the Court of Appeal in 1982. He went to JAMS in 1992.

Low said he does about 60 percent mediation and 30 percent arbitration. He charges $500 per hour.

Despite his years, age isn’t a problem, Low insisted. “I still feel great. I do my exercises, and I still have the energy level and hopefully the mental energy that I can respond when asked. It’s good for me to keep busy.”

Low and his wife live in the same house at the edge of Glen Canyon Park they built in 1962. “I still do a lot of gardening,” he said. “My backyard is the whole canyon.”

Here are some attorneys who have used Low as a mediator: