

civil rights talk perfected over the

justice and a strong sense of fairness.'

— Carol Sobel

Michael P. Linfield

California Superior Court Judge
Los Angeles County (Los Angeles)

Career highlights: appointed by Gov. Gray Davis to Los Angeles County Superior Court, 2003; sole practitioner, Pasadena, 1992-2003; associate, Alschuler, Grossman & Pines LLP, Los Angeles, 1989-92; legislative and public affairs consultant, Michael Linfield & Associates, Los Angeles, 1983-85; special liaison to Gov. Jerry Brown, 1980-83; West Coast director, Amalgamated Clothing & Textile Workers Union, Los Angeles, 1978-80; chief legislative advocate, United Farm Workers of America, Sacramento, 1976-78

Law school: Harvard Law School, 1989

Age: 61

The talk "encapsulates my concept that the courts are here to ascertain justice," Linfield said. "Jurors have told me their attitude towards serving really changed after hearing it."

The defendants, plaintiffs and attorneys who appear before Linfield may not guess that they're appearing before a judge who's marched with King and Chavez and who said he's made it a lifelong cause to fight for equality and justice, especially for the downtrodden.

"He has a particular view of justice and a strong sense of fairness," said Carol Sobel, a civil rights lawyer and sole practitioner who's known Linfield and his parents since their paths crossed at the American Civil Liberties Union nearly 40 years ago. "He's always had that same moral core."

Issues of justice were always part of the family history, Linfield said. His mother was on the board of the ACLU and worked on the organizing committee of the Los Angeles

the papers. His decisions are fairly lengthy and well thought out."

Attorneys say Linfield is also accessible informally and is open to discussing issues off the record to try to reach an informal resolution.

"He gets business done quickly," said Dimitri Nichols of Waters & Kraus LLP, who tried an asbestos case in front of Linfield in July.

"Typically in superior court, these cases would take many weeks to try. Ours was done in five days, which is as short as I've ever seen," Nichols said. "It's a testament to his efficiency."

Linfield also questions the entire pool of jurors at the same time during voir dire, which has resulted in picking a jury in as little as two hours.

"With the budget cuts, things are harder, and they'll get worse, so I try to be efficient where I can," he said.

A photo of King is proudly displayed in Linfield's chambers. In it, a 12-year-old Linfield is standing with King and his chief aide, Ralph Abernathy, along with Linfield's best friend and junior-high classmate, Jerry Ford (no relation to President Gerald R. Ford). It was taken during

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Letter to the Editor

Why would parties appeal an agreement they mutually assented to?

The courts' lack of understanding of ADR (alternative dispute resolution), currently known as CDR (consensual dispute resolution) is frightening. I was just reading an article by Michael L. Stern, a judge in the Los Angeles County Superior Court, titled "Saving the soul of public justice," published Oct. 3. Judge Stern states, "the burgeoning ADR business is not an adequate substitute for a public judicial forum ... it is well-recognized that private for-profit adjudication is expensive; it is cost-prohibitive for the majority of litigants ... ; there is scant public oversight of non-judicial ADR proceedings; rulings are barely appealable ... ; private adjudicators are not equipped to handle many types of matters; and proceedings are conducted behind closed doors without public scrutiny, a hallmark of independent judicial decision-making. While private adjudication may be great for those who can afford it, most cannot."

Really? Mediation and collaborative divorce have been found to be far less costly than litigation. When he is referring to oversight and rulings, Judge Stern is obviously referring to arbitration. In mediation, the mediator does not make any rulings; rather, he or she helps the parties resolve their own disputes. Why would people want to appeal agreements they reached on their own? That makes no sense. In fact, if people

are unable to reach agreements through mediation or collaborative divorce, they can always litigate their matters. However, fewer cases are being appealed because people are increasingly resolving their matters through mediation and collaborative divorce. If a judge never makes an order, there is nothing to appeal.

"[P]rivate adjudicators are not equipped to handle many types of matters." Really? What training do sitting judges have to handle such matters? Last I heard, a judge may never have even practiced in the field of law relating to the type of matters he or she now hears. This may be why it is often said that the lawyers appearing before the judges know more about the law in that field than the judge assigned to a given case.

"Proceedings are conducted behind closed doors without public scrutiny." Very true! It just so happens that one of the reasons people actually opt to handle matters through some form of consensual dispute resolution is because of the privacy aspect. Some people actually like not having their financial and personal matters get into the public arena. After all, among other things, court files and their contents are a matter of public record.

Mark Baer
Pasadena