

CALIFORNIA

FBI Launches Fraud Hotline in San Diego

BY TONY PERRY

OCT. 25, 1996 12 AM PT

TIMES STAFF WRITER

SAN DIEGO — The FBI, in the wake of bribery convictions of two ex-judges and a prominent attorney, announced this week that it has instituted a hotline for people in San Diego to report allegations of governmental corruption.

Robert Walsh, special agent in charge of the FBI office, said the FBI will investigate all reports of corruption in local, state or federal government.

The 24-hour hotline (888-FBI-FRAUD) will provide an outlet for people who might be afraid to report corruption by their bosses or colleagues or are unsure of how to make such a report, Walsh said. Similar hotlines have been used in other cities.

“Corruption is a crime conducted in secrecy,” Walsh said. “The corrupt official, by virtue of position, has considerable discretion and may easily conceal corrupt decisions and actions.”

After the federal conviction Friday of ex-Judges G. Dennis Adams and James Malkus and prominent attorney Patrick Frega, prosecutors repeatedly stressed that the case does not mean that San Diego’s court system is corrupt.

Still, the trial revealed that a number of attorneys and court workers had long known of the close relationship between Frega, Adams, Malkus and ex-Judge Michael Greer, who earlier pleaded guilty, but had kept quiet.

Also, an investigation by the California Commission on Judicial Performance of the same allegations uncovered an easygoing attitude on the part of some San Diego judges toward letting attorneys pick up greens fees, dinner tabs and other small items.

William A. Howatt Jr., presiding judge of the San Diego County Superior Court, said that since the commission began its investigation, San Diego judges have reevaluated their relationships with attorneys, particularly how much socializing is proper. “The judges are reacting very carefully and very cautiously,” Howatt said.

Robert Fellmeth, a law professor and ethics expert at the University of San Diego, congratulated U.S. Atty. Alan Bersin for pursuing the case despite criticism that he is an outsider who does not understand the informal ways of San Diego. Outsiders often uncover corruption that local authorities overlook, he said.

Tony Perry

Tony Perry is the former San Diego bureau chief for the Los Angeles Times.



CALIFORNIA

43 California judges were reprimanded for misconduct last year

BY MAURA DOLAN | STAFF WRITER

APRIL 4, 2015 7:37 PM PT

Reporting from SAN FRANCISCO — Two judges had sex with women in their chambers, one with his former law students, the other with his court clerk.

A traffic court judge delegated his job to his clerk. While the judge was in chambers, the clerk heard pleas and imposed sentences.

A family law court judge excoriated two parents who appeared before him as “rotten” and the mother a “train wreck” and a “liar.”

The judges, among 43 disciplined last year by California’s Commission on Judicial Performance, received rebukes ranging from public censure or admonishment to a confidential “advisory” letter. The state watchdog agency documented the transgressions in an [annual report](#) that provides a behind-the-scenes look at errant behavior on the bench and how it is addressed.

Sexual transgressions are likely to be viewed with gravity, as are repeated remarks from the bench that belittle and humiliate lawyers and litigants, the new report suggested. The vast majority of complaints against judges result in no discipline, and most misconduct is resolved by sending judges private letters.

UC Berkeley law professor Christopher Kutz said a judge’s conduct must be extreme before the system metes out discipline. The state has about 1,800 judges, and generally fewer than 50 each year receive some form of reprimand.

“Certainly,” Kutz said, judges disparage lawyers and litigants “much more often than the number of disciplinary cases would suggest. There is a lot of latitude for judicial misbehavior.”

Judicial misconduct may be underreported because few people know there is even a mechanism for filing complaints, said Victoria B. Henley, director and chief counsel for the watchdog agency.

Judges elected by voters to the trial bench are more likely to get in trouble than jurists appointed by governors, and female judges and those with the most seniority tend to have less misconduct, records show.

“It does vary from year to year,” Henley said. “Here it is only past March and we already have three cases with formal charges” against judges.

Among the five most serious offenders last year were Orange County Superior Court Judge Scott Steiner, a former prosecutor elected to the bench, and Kern County Superior Court Judge Cory Woodward, appointed by former Gov. Arnold Schwarzenegger.

Steiner had sex in his chambers with two former students and tried to get one of them a job in the county prosecutor’s office, the commission said. Woodward had sex with his court clerk in chambers and passed her salacious notes during proceedings, according to the report.

“Engaging in sexual intercourse in the courthouse is the height of irresponsible and improper behavior by a judge,” the commission said.

Woodward’s misconduct could have led to his removal from the bench, the report said, but being contrite, fully cooperating with investigators and earning reviews that he was hard-working, intelligent and conscientious spared him.

Former Los Angeles Superior Court Judge Ronald M. Sohigian, appointed by Gov. George Deukmejian in 1988, received a public admonishment for treating attorneys in a “sarcastic and belittling manner.” Sohigian told a lawyer who objected to a ruling that he would explain it to him “sometime when you pay tuition.”

The commission said Sohigian was a repeat offender — he had been privately disciplined twice before — and it rejected his defense that he was trying in one case to curb a lawyer’s disrespectful attitude.

“Even when dealing with difficult litigants and counsel,” the commission said, “judges are required to comport themselves in accordance with the Code of Judicial Ethics.” The rules say judges must be dignified and courteous.

Solano County Superior Court Judge Daniel J. Healy, cited for denigrating family law litigants, called parents “rotten,” told others they were “stupid and thuggish” and “a total human disaster.”

In one case, he told parents that if their child were like them, they “might as well have her start walking the street as a hooker.” In another, Healy told a father that his plans to get a job represented “pie in the sky” because he was “morbidly obese and at risk of dying any time.”

Healy, elected to the bench in 2010, explained that he had to be blunt to send a message.

The fifth case of public punishment was fairly clear cut. San Mateo County Superior Court Judge Joseph Scott, appointed by former Gov. Gray Davis in 2003, received a public admonishment for driving under the influence.

Nearly 90% of the complaints came from litigants or their relatives. Attorneys filed complaints in 3% of the cases and judges and court staff in 2%.

The report showed that the number of complaints has been generally rising since 2005, and the percentage of those disciplined has been relatively flat. The commission has recommended yanking judges from the bench only six times since 2005, a sanction reserved for persistent and pervasive misconduct.

Misconduct that led to removals in the past included ticket-fixing, accepting expensive gifts from lawyers and litigants whose cases the judges decided, lying to the commission and submitting false reports for court expenses, Henley said. Three judges in San Diego County who were removed on the commission's recommendation later went to federal prison for using the U.S. mail to transmit false information to the commission, Henley said.

The bulk of disciplinary cases result in confidential letters advising judges of their errant ways or rebuking them. The governor and the president can see these so-called stinger letters if the judges are under consideration for promotion.

Most discipline last year and in the past involved judges who mistreated litigants and lawyers. In 2014, people without lawyers appeared to suffer disproportionately from judicial wrath. One unidentified judge not only berated a criminal defendant representing himself but "sometimes appeared to assume a prosecutorial role in questioning the defendant," the commission said.

Several judges received advisory letters for failing to disclose potential conflicts of interest or showing favoritism. One judge got in trouble for comments on social media that smacked of impropriety and partiality. Another was dinged for waiting more than nine months to sign a proposed judgment in a civil case.

Henley said most of the dismissed complaints involve judges' rulings. The commission, made up of lawyers, judges and members of the public, does not discipline jurists for legal errors. Some complaints cite behavior that is not misconduct, such as asking a litigant questions during a small-claims hearing.

The point of making public the circumstances behind confidential rebukes, the report said, was to educate the public and “assist judges in avoiding inappropriate conduct.”

maura.dolan@latimes.com

Twitter: [@mauradolan](https://twitter.com/mauradolan)



Maura Dolan

Maura Dolan is a former California-based legal affairs writer for the Los Angeles Times. She covered the California Supreme Court and the U.S. 9th Circuit Court of Appeals. A California native, she graduated from UC Berkeley and has worked in Washington and Los Angeles for The Times.