

## The Changing Face of Civil Litigation



**6** One Justice's Search for  
Vanishing Trials

*Ignazio J. Ruvolo*

**12** **From Modesto to The Hague**

A Central Valley Judge on the Case  
of a Congolese Warlord

*Donald E. Shaver*

**16** **Being Myself in Juvenile Court**

Countering Stereotypes While  
Changing Lives

*Cynthia Loo*

**18** **Managing the Media**

Lessons From Los Angeles's  
High-Profile Cases

*Allan Parachini*

---

### COMMENTARIES

**23** **Justice Portrayed**

*Carol Ivy on why not communicating is no  
longer an option.*

**36** **In My View**

*James D. Ward on the balance between free  
expression and judicial independence.*

---



# Contents

A FORUM FOR THE STATE JUDICIAL BRANCH



### 3 Contributors

### 4 Editor's Note

### 4 Letter

MESSAGE FROM THE CHIEF JUSTICE

### 5 On Pro Bono Commitments

Ronald M. George, *Chief Justice of California*

## FEATURES

### 6 The Changing Face of Civil Litigation

One justice's view on the state of civil litigation, how it got there, and the issues it raises.

Ignazio J. Ruvolo, *Presiding Justice, Court of Appeal, First Appellate District, Division Four*

### 12 From Modesto to The Hague

A Modesto judge reports from the International Criminal Court on a war crimes case.

Donald E. Shaver, *Judge, Superior Court of Stanislaus County*

### 16 Being Myself in Juvenile Court

A juvenile court referee learns not to follow stereotypes in a difficult assignment.

Cynthia Loo, *Referee, Superior Court of Los Angeles County*

### 18 Managing the Media

L.A. moment: when Hollywood celebrities end up in court, sometimes several in a single day.

Allan Parachini, *Public Information Officer, Superior Court of Los Angeles County*



12



18

## COMMENTARIES

JUSTICE PORTRAYED

### 23 When a Reporter Calls, Don't Hang Up

Practical tips from a media expert.

Carol Ivy, *Media Consultant, Up Your Image*

IN MY VIEW

### 36 Abiding Public Critics

Balancing judicial independence and the right of the public to criticize what happens in court.

James D. Ward, *Associate Justice (Ret.), Court of Appeal, Fourth Appellate District*



32

# Contributors



## IGNAZIO J. RUVOLO

(*The Changing Face of Civil Litigation*, page 6) is presiding justice of the Court of Appeal, First Appellate District, Division Four. He has been a member of the Judicial Council's Civil and Small Claims Advisory Committee and a member of the San Francisco and Alameda-Contra Costa Trial Lawyers Association.

## DONALD E. SHAVER

(*From Modesto to The Hague*, page 12) is a criminal court judge handling all levels of cases at the Superior Court of Stanislaus County. He has previously served the Judicial Council as a New Judge Orientation instructor, as an ethics instructor, and as a member of the Proposition 36 Implementation Workgroup and the Collaborative Justice Courts Advisory Committee.



## CYNTHIA LOO

(*Being Myself in Juvenile Court*, page 16) has been a referee of the Superior Court of Los Angeles County for six years and is currently assigned to the Eastlake Juvenile Court. In 2005, she received the Juvenile Court Judge of the Year Award from the Los Angeles County Juvenile Courts Bar Association.

## ALLAN PARACHINI

(*Managing the Media*, page 18) has been public information officer for the Superior Court of Los Angeles County since 2002. He is a veteran newspaper reporter and previously served as spokesperson for the American Civil Liberties Union.



## CAROL IVY

(*When a Reporter Calls, Don't Hang Up*, page 23) is owner/president of Up Your Image, a media consulting company. A former broadcast reporter for *ABC News* and KGO-TV in San Francisco, she has won an Edward R. Murrow Award, a Peabody Award, and a J. C. Penney Missouri Award.

## JAMES D. WARD

(*Abiding Public Critics*, page 36) is a retired associate justice of the Court of Appeal, Fourth Appellate District, Division Two. He is now a neutral for JAMS and is based in Ontario.



# California Courts Review

SUMMER 2006

*California Courts Review* is published quarterly by the Judicial Council of California, Administrative Office of the Courts. We welcome ideas and suggestions for articles about California's judicial branch.

Views expressed in *California Courts Review* are those of the authors and not necessarily those of the Judicial Council or the Administrative Office of the Courts.

Editorial and circulation:  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
415-865-7740  
E-mail: [pubinfo@jud.ca.gov](mailto:pubinfo@jud.ca.gov)

Copyright © 2006 by  
Judicial Council of California/  
Administrative Office of the Courts

## EDITORIAL STAFF

*Office of Communications  
Manager/Executive Editor*  
James Carroll

*Managing Editor*  
Philip Carrizosa

*Contributing Editor*  
Blaine Corren

*Copy Editors*  
Lura Dymond  
Fran Haselsteiner  
Christine Miklas

*Design and Production*  
Suzanne Bean  
Elaine Holland



Printed on recycled and  
recyclable paper



# Being Myself in Juvenile Court

**By  
Cynthia Loo**

*Though the 14-year-old youth was being charged with murder, the boy had a surprised expression on his face when I denied his request to go home. As the boy was led by the bailiff back into lockup, his father left the Compton courtroom weeping. “Next case.”*

*The expressionless way in which I ruled, my practiced calm, had actually started years before when I was an attorney representing abused children in juvenile dependency matters. On one occasion, while I was watching a sheriff’s deputy pull my hysterical 8-year-old client from the outstretched arms of her sobbing mother, a prosecutor scornfully asked me, “Why are you crying?”*

*Ashamed, I promised myself I wasn’t going to let that happen again.*

*Years later, when I was appointed to the juvenile court bench, I consciously sought to model my behavior as contrary to the meek and permissive stereotype of Asian women. I emulated what I thought a judge was supposed to be: strict, intimidating, and authoritative.*

*It took me years of being on the bench to finally realize that being myself was OK.*

Fifteen-year-old Tyrell was charged with resisting a peace officer. Los Angeles Police Department officer Miller testified that Tyrell had refused to answer officers' questions and instead hurled profanities toward them. He testified that Tyrell had reached into his waistband. Thinking, at that point, that the minor was going for a weapon, the officer had drawn his firearm.

The grandmother testified about receiving a phone call from Tyrell, "Mama! Come outside! The police are here!" When she opened the door, Tyrell ran inside and cried, "I didn't do nothing!" He emptied the contents of his pockets onto the floor: a cell phone, a dollar, some change, a condom, gum.

Officer Grace Garcia testified that she asked the grandmother, "Ma'am, is Tyrell still on probation?" The grandmother said he was. Officer Garcia then recounted Tyrell's refusal to submit to the officers' directives and how backup was called. The officers tried to pry his fingers from their grip on the door frame. Finally, five officers subdued him and took him into custody.

I believed each witness.

From the back of the courtroom, the grandmother raised her hand and asked if she could say something else, a request that was met with an objection from the district attorney. "Oh, I just wanted to thank Officer Garcia for the way she tried to help," she said.

I found the charge to be true and proceeded to sentencing. Officer Garcia suggested that Tyrell should move out of Compton. The grandmother said they could not afford to move out of the area. Over the objection of the district attorney, who recommended a long-term camp program, I released Tyrell from juvenile hall. I admonished Tyrell that if he violated house arrest, I was going to sentence him to the camp. Tyrell didn't say anything but nodded his head that he understood.

The matter was continued to a date two months later that was then changed to avoid conflicting with the grandmother's receipt of an award for her volunteer work as a tutor at Tyrell's school.

Three days later, I spoke at a church in south Los Angeles. I warned the parents that even minors in a juvenile delinquency case can obtain "strikes" for future sentence enhancement under California's "three strikes" sentencing law. I cautioned the parents to be careful about

whom their children associated with because of the ease with which youths can be caught up in gang enhancements. I thought of Tyrell as I suggested to the youths in the congregation that, if stopped by law enforcement, one is more likely to be released to parents than juvenile hall if one is respectful.

"Why, if we don't get no respect?" someone in the back of the church yelled. Many people in the congregation nodded in agreement.

Two weeks later, I looked up from the bench to see my bailiff having a heated discussion with an elderly African-American woman. "Deputy," I called out, "is there a problem?" Deputy Bailey said, "Your Honor, she wants to give you something. I told her it's not appropriate." When I realized it was Tyrell's grandmother, I got off the bench and walked to where she was standing by the bailiff's desk.

She told me on most Sunday mornings Tyrell would crawl into her bed and ask, "Mama, are you awake? Can you make me some pancakes?" Or sometimes "Can I borrow some money?"

But the past Sunday, she had awakened to gunfire. She then crawled through the house, calling for her grandchildren. Her eldest grandson found Tyrell's body on the porch, slumped against the front door.

"He's not breathing, Mama!" he cried.

She rushed over. "Open your eyes for me, baby, open your eyes!" she said, shaking Tyrell.

When the ambulance arrived, Tyrell's body was placed roughly on the stretcher. When the paramedics saw her watching, they pushed futilely on Tyrell's chest a few times. There were witnesses to the shooting, but no one had yet come forward.

"I just wanted to give you this," she said, handing me a funeral program. On the back I had been given special thanks.

In the middle of the courtroom, with attorneys, clerks, a bailiff, and a court reporter looking on, we cried.

And I felt no shame in that. ■

*Cynthia Loo is a judicial officer with the Superior Court of Los Angeles County. This essay will appear in the summer edition of the ABA's JD Record.*