



BenchMarks:

John C. Rayburn, Jr. Federal Magistrate Judge

by Ed Butler

Federal Magistrate Judge John C. Rayburn, Jr. had 15 years of federal crimes prosecution experience under his belt when he was chosen in October 2006 for the newly added second magistrate judge position at Eastern Division of the Central District California Federal Court.

A former utility electrical engineer, Judge Rayburn had been chief of the Riverside office of the U.S. attorney nearly three years when the Central District judges voted to hire him for the new position.

Just past his first anniversary as judge, Judge Rayburn says his main satisfactions in the role include "having a great group of young attorneys to work with," those who serve as law clerks in the office. He also speaks highly of the camaraderie that he enjoys with the other three judges at Eastern Division, who "have been extremely helpful in answering my often ignorant questions." He admits, "I would be lost without their assistance."

As magistrate judge, Judge Rayburn's work as assigned by the district judges is heavily represented by habeas petitions, civil rights and Social Security matters, and resolution of discovery issues. Bringing criminal background to the role, he finds civil litigation in terms of discovery and settlement a stimulating challenge.

Judge Rayburn was born and raised in Los Angeles County, where he now lives with his wife and three children. His father worked as an electrical engineer while his mother was busy raising seven "ornery kids," as he puts it.

The judge says sports dominated his interests as a growing youth, and he played football and baseball interscholastically on teams fielded by his alma mater, Damien High School in La Verne. He also enjoyed basketball and when he was a senior his football team won the CIF championship. By interesting coincidence, all three male bench officers at Eastern Division are Damien graduates.

As he advanced through high school and college, the judge's work on the side included delivering newspapers, driving a tow truck and janitorial duties.

He at first followed his father's footsteps

into electrical engineering. In 1982 he received his bachelor of science degree in the subject at California Polytechnic University, San Luis Obispo. Then followed 4½ years as engineer for San Diego Gas & Electric. In that capacity he worked at a distribution center regulating electricity flow according to system capacity.

Intending to embrace the business side of engineering, he earned a master's degree in business administration — concurrent with his utility work — at San Diego State University. It was during that study that he took a class in business law and rekindled an interest in the law.

With he and his wife responsible for their eight-week-old first born, the judge managed to convince his spouse to accompany him to enrollment in the University of Oregon School of Law. Ranked third in his class there, he transferred after the first year to the Boalt Hall School of Law at UC Berkeley where he received his jurisdoctorate degree in 1990. Benefits of that switch included a wider range of opportunities and also greater proximity to family in the Bay Area and Southern California.

Judge Rayburn began his law practice career at Gibson, Dunn & Crutcher in Los Angeles. That stay lasted only six weeks. The judge's brother, who had graduated from law school at the same time, had landed a clerkship with a judge and spoke highly of it.

That led to Judge Rayburn clerking for nearly a year for Federal Central District Judge Gary L. Taylor at Santa Ana. Judge Rayburn says the experience exposed him to criminal law and trials and made him realize they were the focus of his career interest. He speaks very highly of Judge Taylor as a role model, "a true champion among people."

The next step was the beginning of Judge Rayburn's 15-year tenure working with the Central District U.S. attorney. After a training stint at Los Angeles, he spent 9½ years prosecuting at the Santa Ana office, nearly the last three years as deputy chief of the office. He says the Santa Ana office, being smaller than the one in Los Angeles, afforded a wide variety of criminality to address. "We did a little bit of everything." Then came nearly two years at the terrorism and organized crime section in Los Angeles. His move there was a few months after the 9-11 calamity, which had resulted in revamping of the office to deal with the threat.

He took up his assignment as chief of the Riverside office in December 2003. He says prosecutions there were also highly varied, including drug trafficking and while collar crime.

Judge Rayburn notes that recent expansion of the Riverside office of U.S. attorney has allowed it to handle larger cases that would have previously been handled by the Los Angeles office.

After completing a lengthy application and two rounds of interviews, Judge Rayburn was enrobed as magistrate judge in October 2006. Explaining his motivation to seek the role, he says he was at the point in his career when "I was ready to try something different." He viewed bench office as "a fantastic opportunity to serve the community in a different way."

Asked how self representing litigants are faring at Eastern Division, Judge Rayburn says some habeas petitioners perform better than others.

Asked for general advice for attorneys appearing in his court, the judge would encourage them to be fully candid and forthright with the court. He adds that it is often advantageous for an attorney to divulge the weaknesses of his case rather than letting the opposition find them on their own. He emphasizes the importance of an attorney maintaining credibility with the court, and reports that the vast majority of attorneys he sees are "very up front."

Judge Rayburn also would encourage attorneys, as well as other members of society, to assist prison parolees in their transition back into free society. Opportunities for attorneys include the Volunteers in Parole program, in which screened, striving parolees are paired with attorneys who act as their friend as a way to give back to the community. Volunteers find that they "get back far more than they put into the program," he says.

Judge Rayburn's professional activities include the Federal Bar Association and Inns of Court.

He and wife Linda, a school teacher, have three children, two boys and a girl, aged 16, 18 and 20. The older boy is a freshman in college who has expressed interest in the law as a career.

Interest in the law seems to run in the family. In addition to Judge Rayburn's brother, who is an alternate public defender in West Los Angeles, they have a sister practicing law in the Bay Area and the brother's wife also is an attorney.

The judge's past activities included coaching and attending his children's sports contests and restoring old cars.

He makes a special point of crediting three main sources of inspiration in his life: his wife Linda, to whom he has been married nearly 23 years, and his mother and father, whom he rates as wonderful role models and fantastic parents.

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