## BenchMarks: Christopher J. Warner



## Superior Court Judge, County of San Bernardino

by Ed Butler

former factory worker who worked his way through night law school, Judge Christopher J. Warner relishes his role as Superior Court judge of San Bernardino County.

Now supervisor of the San Bernardino District court, Judge Warner dovetails that role with that of civil supervisor of the district. He now presides over civil fast track litigation, which under statewide delay reduction policy sets strict time benchmarks to keep cases moving through the system in a timely fashion.

Of his seven years so far as judge, Judge Warner has spent all but 20 months of that presiding over civil litigation. (The other 20 months were devoted to criminal adjudication.)

"Civil is my first language," explains Judge Warner, as he spent nearly 20 years as a local civil litigation advocate before becoming a judge.

Born and raised in Washington state, Judge Warner dreamed at one time of becoming a medical doctor, even taking a hospital job for a time. Circumstances did not allow for that career direction, however, and soon after high school he took a fulltime job in airplane fabrication for Boeing at Everett, Wash. While attending community college at night to earn his associate's degree, he bettered himself with a new job as insurance claims representative. He continued that upon transfer by his company to Southern California, where he enrolled in Riverside at Citrus Belt Law School, now California Southern Law School. For a short time before that he had studied law at Riverside University, before it closed early in his enrollment.

Judge Warner says his insurance claims work attracted him to the law. "I met a whole bunch of really nice people who were practicing law and it stimulated my interest," he explains. It also suggested a way that he could advance himself in his working life.

Judge Warner went on to earn two degrees at Citrus Belt, his bachelor of science in laws in 1975 and the jurisdoctorate, with honors, in 1977.

Judge Warner says it has presented no career detriment at all, to have graduated from an unaccredited night law school. He speaks warmly of how then-Citrus Belt provided an avenue of legal education for those like himself who have the ability to pursue legal careers but

don't have the "means or the opportunity" to attend law school fulltime. The school allowed him to work his way through it, as he needed to do. "I'm proud of (the school) and I'm glad I'm here for the benefit of the school," Judge Warner explains.

The year of his graduation, 1977, he became an associate at the San Bernardino law firm, MacLachlan, Burford and Arias. Specializing there in insurance defense, he became a partner in the firm in 1981. Five years later, he and an associate teamed to form their own firm, Stanfield and Warner, where Judge Warner specialized in government tort liability and civil defense. Ten years later came his appointment to the bench by Gov. Pete Wilson, in 1996.

Judge Warner says the job of judging attracted him at an early stage in his law practice career.

"I think it's an honorable calling and it includes the ability to do public service," he explains. "Bottom line, I'm much more comfortable in this role than (working as) an advocate. I don't have to win. I just have to get the right answer."

He adds, "I like working with lawyers, particularly under the circumstance where I am not one of the combatants . . . where I hopefully assist in their resolution of disputes."

As for supervising the San Bernardino District courthouse, Judge Warner says the biggest challenge is a lack of judicial personnel to handle the burgeoning caseload. He says San Bernardino County has one of the three most short-handed benches in all of California, in terms of caseload to be addressed.

At the same time, he says his fellow judges of the district are easy to supervise because of their diligent, hard-working character.

Contributing significantly to the challenges of judicial administration are the "sad state of repair" of court buildings and the pending state budget crisis. Judge Warner fears that resulting heightened burdens on the courts could affect the ability of the average citizen, in civil litigation, to come to court "to get their dispute handled."

In a broad policy sense, Judge Warner feels that the court system, as a "co-equal branch of government," should not be expected to pay its own way in income generation.

One resort of late has been legislative enactment of new court service fees which Judge Warner says are expected to make up a significant part of the budgetary cutback.

Regarding the earthquake threat hanging over San Bernardino District and its 1926 edifice, Judge Warner laments that there has been a further delay in pursuit of temporary facilities and building retrofit. "It's an embarrassment and it's a travesty" that the threat remains, says Judge Warner, whose Dept. S-2 is located on the ground floor of the historic building. "The risk of loss of life is totally unacceptable." Further, it would be a huge challenge to "put Humpty Dumpty back together again," in terms of how a 6.0 or worse quake could disrupt court operations.

Also regarding judicial administration, Judge Warner supports alternative dispute resolution and feels "we need to bring that in-house as much as we can." Implementing that, a half time retired judge is now providing in-house mediation at San Bernardino District. Judge Warner cites this as an alternative to private judging, noting many people can't afford that avenue.

At the same time, "we do an admirable job of keeping the courthouse open to pro per litigants," with such resources as the family law facilitator and small claims adviser, in Judge Warner's opinion. He notes there must be equality of treatment of all litigants.

As for jurors, he notes their pay has increased from \$5 to \$15 per day but his district's facilities are under-sized. "The parking is a tough situation," as well, but facilities improvements will provide a remedy, he says.

Asked for general advice to attorneys, Judge Warner emphasizes the importance of preparation.

"You've got to understand what you're proving to be effective. You've got to study," he explains. "You've got to know your case and the law."

He adds, "You don't have to be brilliant to be a good lawyer. But it pays dividends if you're civil and prepared . . . As a general observation, aggression is not helpful."

Judge Warner's wife, Margie, is an attorney and fellow graduate of California Southern Law School. She was 1979 legal secretary of the year of San Bernardino County.

Their adult children are a daughter in graduate studies at the University of La Verne and son in the mortgage business.

A sporting sort in his spare time, Judge Warner plans to play in a judge v. staff softball game in October.

Enamored of his job as judge, he comments, "I'll be doing this 'til I drop or they drag me out of here."

Next month: Hon. Paul M. Bryant, Jr.

Ed Butler is Manager of the Rancho Cucamonga Branch of the San Bernardino County Law Library.