



## BenchMarks: Joan M. Borba

Superior Court Judge,  
County of San Bernardino

by Ed Butler

Judge Joan M. Borba has demonstrated with her life how embracing major lifestyle changes can pay off handsomely.

After savoring real estate and title insurance litigation at her own Ontario law firm, she has enthusiastically embraced criminal law for most of her nearly 12 years on the bench of Rancho Cucamonga District of San Bernardino County Superior Court.

After living single as an adult for many years, she married in 1998 and gushes over the satisfactions of family life that include twin daughters, 4½. "They're my life. My husband and my children are everything to me," she admits.

Judge Borba is a local product who grew up in San Bernardino County, practiced law here and now judges here.

She was raised on the family's dairy farm in Chino, one of seven siblings. Her father had dreamt of working in the law, but as a member of a dynastic farming family, felt duty-bound to continue the tradition. That didn't stop him from having many attorneys and judges as friends, and the association helped plant an interest in law in Judge Borba's heart. One of her sisters is a lawyer and two of her sisters married lawyers.

Growing up, Judge Borba found the farm lifestyle busy and fulfilling. She was active in 4-H Club for many years, raising cattle projects – such as beloved twin Guernsey calves – and competing in domestic projects at the Los Angeles County Fair.

Judge Borba has observed firsthand the changing face of Chino, as farms give way to housing development. Her father still maintains the farm there but the bulk of the dairying operation has been relocated to Bakersfield.

After graduating from Pomona Catholic Girls High School, she spent two years studying at UC Irvine before transferring to UCLA, completing her bachelor's degree in history there. She says the calibre of UCLA attracted her. Her student activities included a United Nations Project that incorporated a trip to New York to debate apartheid.

Armed with her bachelor's degree, at first she worked as a travel agent and then spent approximately three years as a real estate agent in Orange County. That would prove to be valuable experience for her later law practice work.

Having contemplated a law career for some time, Judge Borba enrolled in the Pepperdine University School of Law, enjoying a return to the student lifestyle. On the way to receiving her juris doctor degree there in 1984, she clerked at the Gutierrez and Bidart law firm in Chino. As a new admittee she would continue there, the firm reconstituted as Bidart and Associates, practicing in a variety of areas. "I did a little bit of everything," she recalls of her work with the firm.

Then followed three years as staff counsel at Ticor Title Insurance Company, defending the company in a variety of litigation areas. That led to her opening her own firm in 1990 in Ontario, where she devoted herself to real estate and title insurance litigation. She describes her business as a niche firm where she had ample clients in a specialized field that others might not find as fascinating as she did. At one time she represented as many as 10 title companies, some of which were jointly owned.

After 8 ½ years as an advocate, she won an appointment to the local Municipal Court from Gov. Pete Wilson. She recalls that judging as a career prospect had been in the back of her mind for some time as something she might enjoy. She was appointed to succeed the retiring Judge David C. Merriam and was elevated to Superior Court by formal merging of the courts in 1998.

While she did preside over civil matters for about a year, she was destined for a long career as criminal courts judge. She admits that adapting to criminal adjudication was a big adjustment at first, along with shifting from an advocacy to neutral point of view.

"I got up to speed pretty quickly," Judge Borba recalls. "I did not think it was a struggle. I thought it was exciting to learn something new." And as for the content of criminal adjudication, "I have grown to really like it."

Judge Borba handles all facets of criminal matters as part of her direct criminal trial calendar. This includes arraignments and pre-trial hearings and on Fridays, motions and readiness and status conferences. Her department takes overflow preliminary hearings when a trial is not in progress.

Judge Borba appreciates the positive design features of the Rancho Cucamonga courthouse, such as a majestic mountain view from her chambers and a secure separate elevator for transferring in-custody defendants.

Judging in a county notoriously short of judges, Judge Borba finds that the workload demands affect everyone, judges and other staff. It results in "less time to spend on each case." Despite the challenge, "I still try to do the right thing in each case. I try to not let (heavy workload) impact the quality of justice a person receives," she says.

She finds that efforts to enforce response to jury summonses have improved the response rate. "We are getting better numbers right now," she says, noting that Rancho Cucamonga had previously fared better in this regard than some other judicial districts of the county.

It's important to Judge Borba to tune in to jurors' point of view as key participants in the process. She finds jurors often complain about having to wait and "I'm very sensitive to that when I am in trial," trying to finish trials in estimated time.

"I feel very proud of people that serve as jurors because it is a civic obligation that they are not well paid for," she adds. Despite this, she hears jurors expressing positive feedback about how they enjoyed the experience and also how it was more difficult than they expected.

Exhibiting a thoughtful and sensitive personal demeanor, Judge Borba says making the process fair to all involved is a chief goal of hers. As for enjoying the role of judge in general, "There is satisfaction in trying to do the right thing."

In light of pending legislation to fund more judgeships, Judge Borba was asked to state ideal traits for a prospective judge to have. "Judicial temperament is very important," she says, along with fairness, intelligence, common sense, and willingness to work hard.

As to general reminders to attorneys, she admits that her courtroom is probably a little more formal than some. She likes attorneys to be well prepared with their cases, respectful and punctual.

Being a wife and mother of two young daughters has greatly transformed Judge Borba's life. Juggling a heavy workload, she likes to organize her free time to emphasize family time such as the girls' ballet and martial arts pursuits and keeping up with her and her husband's large extended families. Her husband, Luis Casillas-Robles, is an attorney originating in San Diego whose practice pursuits have included civil representation and several years with the State Bar at its Los Angeles office.

While Judge Borba likes to participate in community outreach as judge, some things, such as Rotary Club and Chaffey High School teen court, have been displaced by her family responsibilities. Before becoming a judge, she served as a trustee of a bank, title company and local YMCA.

Her other favorite pastimes include reading and walking.

*Ed Butler is Rancho Cucamonga branch manager of the Law Library for San Bernardino County.*

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