



## Judicial Vignettes: San Bernardino County's Newest Superior Court Judges

by Ed Butler

When new judges are appointed, our field reporter, Ed Butler, Esq. interviews them and submits for your information, a "Judicial Vignette." These vignettes are added to our online collection of Benchmarks, a monthly feature in the Bar Bulletin.

### Rodney A. Cortez

A law man with an affinity for both argument and decision making, Judge Rodney A. Cortez was sworn in to judicial office Dec. 11.

He is a former prosecutor of San Bernardino County who has a criminal calendar at Fontana District as his first assignment as Superior Court judge of the county.

Judge Cortez is a Republican appointed by Gov. Schwarzenegger to fill the post vacated by the death of Judge Roberta McPeters.

Judge Cortez worked briefly in civil practice before becoming a prosecutor here 10 years ago. He spent the last several years in career criminal and hard core gang prosecution, mostly of murder cases.

Judge Cortez grew up in Livermore in the Bay Area, the son of an appliance repairman dad and mom who operated a couple of yogurt and sandwich shops. The judge says his favorite recreations growing up included volleyball and wake boarding.

He earned both his bachelor's and law degrees at Brigham Young University. As an undergraduate communications major, with public relations emphasis, he worked summers at Lawrence Livermore National Laboratory, in the public affairs department. His duties there included writing press releases and articles for the house organ, and working with physicists and engineers in their dealings with the press.

Judge Cortez proceeded immediately to law school upon receiving his undergraduate degree. Explaining his career leaning, he says, "I had the gift of argument and the ability to take a position on either side of an issue and present a compelling argument."

In law school he clerked at the Santa Clara County district attorney's office and developed a strong affinity for prosecution. That office did not have enough lawyer positions to hire all its bar passing clerks, however, and he bode his time for a while in civil practice, starting in a San Diego firm where he had clerked, Lorber, Volk, Greenfield and Blick. He later practiced as an associate at Tuverson and Hillyard, before the San Bernardino DA's office recruited him. Tuverson engaged him

mainly in medical malpractice work.

As for what attracted him to the role of judge, Judge Cortez explains that, as the middle child of a large brood, "I've always been kind of the peacemaker." While having worked as an advocate, he also finds that "I've always been the type that can make the decision." He finds the transition from advocacy to judicial decision making to be a challenging one that he feels good about.

The judge's wife of 17 years, Marnie, works in recreational activities in a retirement home.

The judge says his favorite pastimes these days include snow boarding at Mammoth and golf.

### Steve Malone

After 17 years as an attorney, Judge Steve Malone had the desire to pursue a judging career, what he describes as "the highest benchmark of our judicial system."

After 12 years as a deputy district attorney of San Bernardino County, he was elected by the voters in November to fill the office vacated by retirement of Judge Douglas Fettel. Appointment by Gov. Schwarzenegger allowed Judge Malone to be sworn into office Dec. 11, ahead of the Jan. 8 start of his elective term.

Judge Malone begins his judicial career with a combination criminal and civil assignment at Barstow District.

He says he has always looked upon the judge's role as one of great respect, and views it as one that he felt ready to try.

He received several honors in the course of his career prosecuting serious crimes here. Assigned for four years to child molestation cases, he received the Light of Hope Award from county Sexual Assault Services. After a gross vehicular manslaughter case, he received the Humanitarian Award from Mothers Against Drunk Driving.

Judge Malone grew up in Anaheim, where his stepfather worked as a foreman in a furniture factory, and his mother as a

bookkeeper.

He recalls his favorite youth pastimes included baseball, football and deep sea fishing.

At UC Santa Barbara, where he earned his bachelor's degree as a law and society major, he competed for a while on the rowing team. He also worked on the side doing odd jobs for householders in the Santa Barbara area.

After his undergraduate studies, he proceeded immediately to earn his law degree at the McGeorge College of Law in Sacramento. While attending there he did research work for the local U.S. Attorney's office.

Judge Malone says his introduction to the law included several law offices where his sister was employed. Also, for a time he worked in television sports broadcasting, as assistant to the producer. It was suggested that a law degree would be a good way to advance in broadcasting management.

After his admission to the State Bar in 1989, he spent five years in varied civil practice work in Santa Ana, first as an associate of Hugo Anderson and then on his own. Practice areas included construction litigation, family, employment, and personal injury.

His varied work at the DA's office included prosecution of murder, rape, robbery and other major crimes, and representing the office at state parole hearings.

Adjusting to the role of judge, Judge Malone says, "It's very challenging. The day fills up. You're always busy." He says he has to get used to having to do much talking and being a major focus of attention in the courtroom.

Judge Malone's wife, Patti, works for Inland Action, a legislative development organization in the economic development area. They have five children, four of whom are the judge's stepchildren.

He says golf is a favorite pastime, but workload and commuting demands have put a dent in that lately.

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