



BenchMarks:
Gerard S. Brown
 Superior Court Judge,
 County of San Bernardino

by Ed Butler

Like the reigning presiding judge, Judge Gerard S. Brown brings business savvy to his role as supervisor of Rancho Cucamonga District of San Bernardino County Superior Court.

Judge Brown was appointed as judge by Gov. Wilson nearly eight years ago after a 21-year career as general counsel of several increasingly larger business entities. After "quite a steep learning curve" as a starting criminal courts judge, Judge Brown says "I'm very happy" presently serving as criminal trials judge.

He exhibits strong interest in the organizational side of court operations, after having participated in business management as the holder of both jurisdoctor and master of business administration degrees from Notre Dame University.

The son of a financial planning executive, Judge Brown spent most of his childhood on Long Island, New York. His interests back then included what's become a lifelong passion for reading and also playing basketball, baseball and football. The family relocated to Riverside when he was in eighth grade. At Notre Dame High School there he was heavily involved in the speech and debate team and also went out for basketball and track.

He graduated from the University of California, Riverside cum laude in 1972 as a political science major.

He says his interest in the law was partly inspired at Notre Dame High by Mr. Joly, his history teacher as a junior and government teacher as a [Ed Butler] senior. The adviser to the debate team, Mr. Joly encouraged an interest in political science and the operation of government.

This led to another four years of university study in the combination JD-MBA program at Notre Dame University.

Judge Brown found that working as a business' general counsel, or top legal officer, "required you to be knowledgeable about a wide variety of the law," as legal problems facing businesses are varied. He also found it necessary to develop a strong understanding of the nature of each business for which he worked.

He spent his first few years as attorney as the first general counsel of Watson Land Company in Carson, descendants of Spanish land grantees who owned and operated large business and industrial parks in California. Next came a six-year stint with Clayton Industries, manufacturer of steam generators and dynamometers, which are automotive devices that simulate real life conditions for

the sake of testing.

He then worked a long spell in the security industry, serving as executive vice president and general counsel of Pinkerton, Inc. from 1985 to 1994. After helping take Pinkerton public, he held similar roles at Pedus Service and Inter-Con Security Systems in the same industry. The judge sees security as a growth industry in which businesses are tending toward more outsourcing for it.

He capped his business advocacy career as consultant to Comedy Three Productions, an entertainment business for which he did organizational work and advised on protecting the interests of family descendants of The Three Stooges actors in the creative value of their work.

After working many years as an advocate, Judge Brown says his motivation applying for a judgeship included the desire to help bring people together to resolve disputes. After one reaches a certain age, "you want to feel you have done something really important for society," he explains. Along with wanting to support justice through public service, he wanted to round out his career "doing something really important and satisfying."

He indicates that serving as a busy Superior Court judge fulfills that desire.

As supervisor of the Rancho Cucamonga District, he finds that the biggest challenge is "adapting to change that is brought about by changes in the public that we serve." He feels any organization needs to be nimble enough to change as circumstances require.

Citing a recent example, he says a study showed that imbalance had developed in a criminal calendaring system that distributes caseload to court departments according to the first letter of a defendant's last name. For some reason, the incidence of defendant names by first letter had changed, resulting in some departments receiving a disproportionately large amount of the caseload. As of Aug. 1, the distribution will have been corrected to more equally spread the workload.

Another example is an increase in the number of misdemeanor filings. To adapt to this, a seventh criminal trial department has been added at Rancho, taking the place of one early disposition department. Its workload has been re-distributed to two preliminary hearing departments.

Judge Brown reports that Rancho Cucamonga District is "doing a pretty good job" of bearing its caseload, thanks in large part to "some marvelous colleagues . . . a group of hard working, dedicated judges." He says the court will continue to make changes that ease flow of work, while serving the public more efficiently. However, San Bernardino County Superior Court bears the highest caseload per judge in the state, almost triple the state average. He points out that new judges are sorely needed because of population growth, and part of Rancho's challenge is exhaustion of available courthouse space. "Every one of our courtrooms is spoken for," he says.

In light of pending legislation that could give the county 23 more judgeships over a three-year period, Judge Brown was asked to suggest good traits for a prospective judge to have. He says an effective judge first needs to be patient, and secondly, fair. Further, he must be someone who follows the law irrespective of what the judge may personally think about the outcome. He also emphasizes that "a judge has to be a very, very good listener."

As for what satisfies him as a criminal trials judge, Judge Brown says, "I really enjoy working with the attorneys. That is very enjoyable to me." He enjoys experiencing their varying talents and experiential background, and working with them to seek resolution. He says local criminal attorneys work well with the court and each other.

Offered a soap box opportunity for reminders to attorneys appearing in court, he emphasizes considerateness of appearance times. Those unable to arrive on time need to call ahead to notify the court, he says. Also, advocates need to be prepared, and when stating a position, have case or statutory support for the position. He also urges that attorneys maintain a sense of dignity in the courtroom.

Judge Brown and his wife Pamela, his sweetheart at Notre Dame High School, have three adult children, two sons and a daughter.

Remaining a passionate reader, the judge as a pastime continues his interest in history and antiquarian books, leaning toward the U.S. Supreme Court and those who have served on it. He also enjoys English and Russian literature. He testifies as well to enrichment from working out at the gym three or four times a week, often on lunch break. "I found it really breaks up the day," is a stress reliever and he feels refreshed returning to the courthouse, he says.

His community activities have included serving for several years as past trustee of the University of Redlands.

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

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