



BenchMarks: Cynthia Ludvigsen

Superior Court Judge,
County of San Bernardino

by Ed Butler

Public service-minded Judge Cynthia Ludvigsen brings varied judicial background to her new role presiding at the newly centralized probate court at Redlands.

A former real estate attorney in private practice in San Bernardino, she has handled a wide variety of calendars since becoming a San Bernardino County judge 9½ years ago.

Humbled by the impactful nature of decisions a judge makes in people's lives, she savors the opportunity to help organize the central probate court drawing cases from all over the county.

Growing up, Judge Ludvigsen had long anticipated going to work as a newspaper reporter. She enrolled in law school to continue her preparation, and a clinical program there turned her on to the practice of law.

Born in Chicago, she was one of four children whose family relocated numerous times in her father's pursuit of his newspaper pressman's career. Besides Illinois, they lived in Ohio, Michigan, Indiana and Florida before settling in Southern California about the time she was in sixth grade. She says Florida was especially memorable, where there was extended family. The family moved to Azusa (from Inglewood) just in time for her to start high school, resulting in her attending nine or ten schools altogether from kindergarten to twelfth grade.

Along the way, her mother worked as a telephone operator for the AT&T companies.

Judge Ludvigsen recalls having a special fondness for reading while growing up, an interest that continues.

At Azusa High, she was on the school newspaper staff all four years and served as its editor. She also worked on the yearbook staff and engaged in other student activities.

While her parents were unable to fund her college education, they encouraged her and she won a full journalism scholarship at Syracuse University in upper New York State, an eminent school in that field. After living in Southern California, adjustment to Syracuse was "quite a shock." For one thing, it was in a rural part of the state, nothing like New York City that she pictured. For another, the winters were severe, with "lots of snow" including more than 190 inches of it the first winter she attended there.

Along the way toward graduating with high honors there in 1974, she spent three years working in a dining hall and the last year tabulating and researching for a political science professor. She also edited doctoral dissertations and edited an art professor's work, and worked on the university's student newspaper. She also found time to visit people confined to nursing homes a couple of times a week, engaged in such things as reading to and sewing with them. As for this volunteering, she says it felt good to do something that was not focused on herself and the pursuit of her own individual goals.

Also while a Syracuse student, she landed a job one summer as one of the first female copy aides at the Detroit Free Press.

She decided to immediately attend law school as part of preparing for her journalistic career. She was accepted by several law schools but enrolled in George Washington University in the nation's capital, which had a night program allowing her to work days to support herself. She worked fulltime during the day in the university's publications division, in an editing job, before attending law classes four hours a night, five nights a week. Once she had saved enough money, she switched to the day program and spent two semesters and a summer in it before graduating with honors in 1978.

Her other work in law school included that for a lobbying organization working in the age discrimination area and preparing "friend of the court" briefs.

Her career goals took a major turn after she enrolled in a George Washington clinical program allowing her to represent clients for a senior citizens law clinic as a certified law student. The subject matter of her cases included contracts and housing.

"I loved it . . . I really enjoyed it," Judge Ludvigsen recalls. "I enjoyed it so much that I decided to keep doing it. I enjoyed helping people. I enjoyed the intellectual challenge."

Admitted to the California State Bar in June of 1978, she shortly went to work for Inland Counties Legal Services, representing the indigent in such areas as foreclosures, landlord and tenant and home repairs. She recalls that it was "a very good experience" getting her started in the practice of law.

After a couple of years there, she became an associate and ultimately partner at Welebir & Brunick in San Bernardino, where she was engaged heavily in water rights litigation, municipal law, and some business and other civil litigation. Over time, she became more engaged in environmental and eminent domain work, favorite areas to her.

After 5-6 years with Welebir, she opened her own solo practice in San Bernardino, devoting nearly 12 years to land use, eminent domain and environmental law practice. "I really loved that area of law," the judge says. "It was interesting and the people were interesting. It was challenging."

She admits there were sacrifices to be made, raising three children while conducting a fulltime law practice. She recalls being in the middle of a long trial, and staying up all night to create her children's Halloween costumes, a regular contribution by mom. She also remembers spending hours at a time in phone booths while unable to attend her children's activities. Sole practitioner work, eventually, gave her some additional scheduling flexibility.

While "you were never really on vacation" during that time, she finds that her children grew up none the worse for wear. "They were really glad I did those things," she says, and for one thing didn't hover at school the way some parents did. "My kids learned a lot of independence and that's good," Judge Ludvigsen says.

After practicing law for 18 years, she was appointed to the local Municipal Court bench by Gov. Pete Wilson in the summer of 1997. Election a year later elevated her to Superior Court.

The judge says judging attracted her as seeming "like a new challenge and chance to give back to the community." A few trial court judges and appellate justices had encouraged her to apply for appointment.

After having advocated only in the civil arena, her first judicial assignment was in criminal preliminary hearings, "a lot different than anything I had done." That was at Central District, where she soon transferred to civil fast track. Her later assignments were to include family court for something over three years, civil discovery motions, traffic court, short cause civil, and now probate.

She says civil fast track was an especially enjoyable calendar as "I really enjoy working with juries."

At Redlands, Judge Ludvigsen shares the centralized probate court with Judge Michael Welch. The calendar includes all probate estates and conservatorships, and also the mental health calendar for LPS conservatorships. Guardianships have been broken off from probate court and relegated to the family courts of the districts from which such cases arise.

As the new centralized court begins its work, it will be implementing new law effective Jan. 1, 2007 offering greater protection to conservatees and their estates. After a statewide study in which Judge Welch participated, new policies include requiring an investigator's report before temporary conservatorships are granted. In the event of emergency appointment, the investigator must visit the conservatee within two days and submit a report in five days. Also, notice on conservatorship is expanded to the second degree of familial relationship.

As part of organizing the central probate court, there is a plan to assign particular days of the week to particular regions of the county from which the probate cases

arise. This will help all involved anticipate when the hearings will be held at the central location. Both departments have "court call," allowing appearance by telephone, and conference centers may be set up in the county's far-flung regions to allow video conferencing, the judge reports.

Judge Ludvigsen emphasizes the importance of collaborating with the county's probate bar in setting up a specialized court for this area of jurisprudence. Expressing hope that there would be monthly planning meetings with the probate bar, she says "it seems like a great bar and great group of people to work with."

The former eminent domain practitioner was asked to comment on the hot Kelo decision by the U.S. Supreme Court, regarding public acquisition of real estate that enables private redevelopment. Having litigated in this area, she says she enjoys seeing it "become the focus of so much public debate." She's not sure where this will end up, but she feels it makes public entities more mindful of "what's truly a public purpose or not." She adds that Kelo does not have as much impact in California, which already had a detailed statutory scheme defining blight and what is susceptible to redevelopment.

As for supporting justice for self representing litigants, Judge Ludvigsen feels the court works hard at that with such things as the family facilitator, interpreter program, kiosk form filling, and website self help support. "I suppose there always is more that could be done," she says. She has observed self representing parties in probate court and would like to see a clinic provided for them, as is planned for guardianship.

Judge Ludvigsen chairs the local Superior Court's community outreach committee, which she says is planning a court-clergy conference this spring.

On the subject of affordability of legal services, she says that is indeed a difficult issue. While the State Bar views pro bono service as an attorney's duty, she recalls her own experience of managing her own law practice. "It costs money. It's expensive. Lawyers need to meet their expenses, pay their staffs a decent wage." She feels there's room for improvement in making legal services more widely accessible.

As for gender integration in the legal profession, Judge Ludvigsen has observed many more women enter the fold since she joined the bar in 1978. "I see a big difference in the types of responsibilities and positions that (women) have and that's certainly an improvement," she says.

Asked to state general reminders for attorneys appearing in her court, she says "the main thing is to be prepared." Also, she values punctuality and having pleadings submitted in time for her to study them. "I read everything," she says, and she asks many questions out of genuine interest in the

issues at play, she adds.

As for those who might consider seeking a judgeship, ideal traits for a prospect, in her view, include knowledge of the law, willingness to listen, and respect for the fact that parties before the court are there to resolve important issues.

As for what appeals to her about serving as judge, "I guess I enjoy . . . the law . . . I really enjoy . . . the intellectual challenge of the law" and she is sobered by the impactfulness of court decisions. "I'm really humbled by that, (that) the decisions I make really affect people's lives. I try to keep that in mind. I try to do my best and give everybody a chance to be heard." She adds, "Also I enjoy people," and one thing she misses about advocacy is having had the direct contact with clients that that afforded.

Judge Ludvigsen's three children are all adults now. Her older daughter has graduated from Bryn Mawr and works as a technical writer, with aspirations for graduate school. Her son is a senior math major at Georgetown who envisions teaching math and seeking a doctorate in the field. Her younger daughter is a freshman at Georgetown. The family also includes a friend of the son, raised in their home several years, who is a computer science major at California State University, San Bernardino. All four young people competed in mock trial at Aquinas High School in San Bernardino, where Judge Ludvigsen coached the team several years with the help of attorneys.

Once the hubbub of college education subsides, the judge and her husband, Gary,

accounting manager for the city of San Bernardino, plan to travel more extensively, with dream destinations including Italy. Camping has been a favorite vacation outlet for the family up to now.

Ever fond of the written word, Judge Ludvigsen says her taste in recreational reading leans toward current affairs, biography, classics and detective and mystery novels. She has an interest in taking up novel writing herself, she says.

Among her professional activities, she's been involved in judicial education through CJER and spent six years on its fairness in judicial education committee. She now serves on the KLEPS Awards committee, recognizing innovations in court management, and last spring taught a continuing education class on eminent domain.

As an attorney, she served as treasurer of California Women Lawyers and president of Inland Counties Women at Law.

On the community level, she recently has helped coach for the college ethics bowl operated by the Cal State SB philosophy department. She and her husband are active in their church, and in the past shared duties teaching high school students in confirmation preparation.

She also enjoys keeping in touch with her alma mater, Syracuse University, and attending theater with her husband.

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

THE UNITED STATES BANKRUPTCY COURT

WILL BE CLOSED ON THE FOLLOWING

2007 FEDERAL HOLIDAYS:

| Day/Date | Holiday |
|-----------------------------|---------------------------------|
| Monday, January 1, 2007 | New Year's Day (observed) |
| Monday, January 15, 2007 | Dr. Martin Luther King, Jr. Day |
| Monday, February 19, 2007 | Presidents' Day |
| Monday, May 28, 2007 | Memorial Day |
| Wednesday, July 4, 2007 | Independence Day |
| Monday, September 3, 2007 | Labor Day |
| Monday, October 8, 2007 | Columbus Day |
| Monday, November 12, 2007 | Veterans' Day (observed) |
| Thursday, November 22, 2007 | Thanksgiving |
| Tuesday, December 25, 2007 | Christmas |

Other closures (emergency or administrative) may be announced in subsequent Public Notices.

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