



BenchMarks: Shahla Sabet

Superior Court Judge,
County of San Bernardino

by Ed Butler

A deep love for the law drives Judge Shahla S. Sabet, civil litigation judge at Rancho Cucamonga District, who has served on the county bench for 12 years.

A former deputy district attorney of this county and self employed business consultant, she savors the variety of civil litigation and the settlement process. Her varied judicial career with the county began with presiding over criminal trials for four years, continued with juvenile delinquency and dependency matters, and shifted to a civil litigation calendar approximately 3 ½ years ago. She is the district's assigned judge for environmental litigation.

Judge Sabet says her attraction to the law as a study and work area dates to her youth in Iran. She finds the law to be "the most fascinating area. It's challenging, invigorating," incorporating use of logic and reason. "Everything is touched by the law. It's the mother of (all disciplines)," she says.

Growing up back in Iran, "reading was really my passion" among recreational pursuits, she says. She leaned toward fiction, literature and poetry, and now reading continues as a favorite recreational pursuit.

Her father back home was a hospital manager for the health department and her mother did general office work at the city hall of Tehran, the nation's capital.

The judge began her collegiate studies at the University of Tehran, where she earned a bachelor's degree in public administration. She had wanted to study law in the undergraduate program there, as in Iran law students needed to major in the subject at the undergraduate level. However, space was unavailable in that collegiate division.

As was common, she came to the United States to continue her studies and earned a master's degree in public administration at UCLA in 1970. That led into her earning a doctor of philosophy degree (PhD) in political science and public administration at the Claremont Graduate School.

During these educational years in the United States her various part-time jobs included that of student assistant at the Los Angeles County health department, teaching adult classes of English as a second language and teaching political science at both the University of La Verne and the Claremont colleges. She also worked as a professional photographer for two years, mostly in portraiture, and operated her own management consulting business serving mostly small businesses.

She decided to remain permanently in the U.S. about the time she participated in a post-doctoral internship for a year with the city of Claremont in the late 1970s. It was a time of political upheaval in Iran, when a new Islamic government took over. "Things were getting close to the big change that happened. I made a decision not to go back," she says. "A lot of people went back and got caught, got stuck. I was lucky."

She's not sure to what extent Islamic law is applied now in Iran and because of her role as judge, she feels precluded from commenting about political developments there.

Before she left, Iran had a codified system of justice, based on code rather than case law and modeled after France.

Judge Sabet's becoming a judge may be related to genetic predisposition. Her grandfather was a justice of the Iran Supreme Court and two cousins also served as judges.

She says part of the "culture shock" of adapting to life in the U.S. is the youth-oriented culture here in contrast to the reverence of the elderly back home. She says Iran culture was strong about social niceties, etiquette, and deference to authority such as that of parents and teachers as well as the elderly.

In a lighter vein, she observes with amusement that Americans tend to share much among themselves about their meal taking. This is foreign to Iranians. On the other hand, Iranians tend to be very open about personal finances, such as what their home cost or how much their wages are. She finds Americans take great umbrage at anyone's curiosity about those areas.

She also finds herself amused by continuing to learn new American expressions of speech of mystical origin. One funny example was the time that a colleague told her she heard (Judge Sabet) "had a cow" about something. Another time, someone asked her, "Are you pulling my leg?" These were very mystifying to her at the time. "It amuses me that there are still things out there that I haven't heard," she says.

Considering how people worldwide have more in common with each other than not, "Little things are actually more of a culture shock" than anything substantial, she adds.

Judge Sabet says she learned some English in high school but had to learn it "from scratch" after moving to the U.S.

She reports that the process of becoming a U.S. citizen was no easy task. Regulated on a case by case basis, "It's a very tedious, long process and it gives an appreciation of what it takes to go through a process like that and endure," she says. "I think my firsthand experience gave me a very enriching experience."

Somewhat dissatisfied with public administration as a career field, Judge Sabet was elated to have found out that in the U.S. — unlike Iran — law school need not be preceded by a law degree at the undergraduate level.

She sank her teeth deeply into law study in 1983 at Southwestern University School of Law in Los Angeles, graduating in two years in an accelerated program.

Upon her admission to the State Bar in late 1985, she went to work for the San Bernardino County district attorney's office. Her eight years there were in general prosecution except for a half year in juvenile prosecution. One of her cases involved the conviction of a guard at the California Institute for Women for sexually assaulting an inmate.

Her appointment as judge followed the prosecution work. She says the appeal of judging is "resolving contentious issues and matters . . . resolution of conflict." She appears to take delight in supporting settlement.

Gov. Pete Wilson appointed her to the local Municipal Court in late 1993 and elevated her to Superior Court in mid-1997 to fill a newly created position.

She has presided mostly at the Rancho Cucamonga courthouse, one exception being a stint at Central to learn juvenile adjudication there before presiding over it at Rancho. She describes juvenile court as "the most important and gratifying" calendar of all, with the downside of being emotionally draining. After three years of that, she welcomed the shift to civil 3 ½ years ago. She describes it as "wonderful because of variety" and she savors the law and motion part that starts the day before trial sessions start at 10 a.m.

Among issues facing the court, Judge Sabet speaks with great seriousness about the local court's shortage of judges for bearing its workload. She notes that four recently announced retirements of judges include three "extremely seasoned" individuals of the Rancho Cucamonga District bench. While the remaining judges must bear the workload of these judges who are leaving, "the workload is extremely heavy as it is" without the retirements. She says this adds to the stress of judges who must be extremely devoted in making deeply impactful decisions.

She adds that "not having time to reflect, to really do the right thing, that is, to give each case its due time in court . . . adds additional stress." She says such pressure affects the health of judges and their "ability to perform their job properly." Also, in light of time-pressed calendars, "the perception of the community I'm sure is also affected. I'm not sure they feel they got their day in court."

Asked her opinion of the growth of alternative dispute resolution, Judge Sabet says "it really is something that's needed" to help get disputes resolved. She says it's nice for parties who can afford it and takes some burden off the court, but at the same time attracts active judges away from public judging. She says at one time judges were resistant to retiring, but with the growth of private judging there is the logical attraction of "less work and more compensation out there" in private work.

Among other issues, she says the new

initiative to enforce jury summonses has doubled the time needed for voir dire because hardship excuses must be argued directly to the judge rather than the jury commissioner.

Also, "I think we should do a lot more to assist" self representing litigants wind their way through litigation. She appreciates the pro bono mediation donated for such litigants by the local bar association. She says pro per defendants are especially in need. "They always ask you questions and of course the judge can't help them out or give them advice."

In light of proposed legislation to fund more judgeships, Judge Sabet was asked for the most important personal traits for an effective judge. "Above all, somebody with patience" is a top criterion, she responds. Also a new judge should have litigation experience, ability to work under pressure and make decisions, and possession of a strong ethical, moral stance and good knowledge of the law, she advises.

As for general advice to attorneys, she emphasizes professional decorum and also preparedness. She laments having observed an unfortunate trend toward greater discourtesy among attorneys, too many exhibiting lack of respect for each other, their opponent and the court. She's not sure what causes it, but she regrets seeing attorneys make personal attacks on each other as part of a lowering of professional standards. She encourages the legal community to "raise the bar" in this area.

Single, Judge Sabet enjoys a rich array of pastimes including painting, sculpting, reading good books, and traveling to new exotic locations around the world. Examples of her paintings and those by her nephew decorate her courtroom and chambers. She says her taste in travel leans toward far away places, islands more than continents, water more than land, and country rather than cities. She enjoys compiling electronically recorded videos of her trips, editing them with music and titles, and sharing the resulting compilations with fellow travelers.

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

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From Civil to Probate Court: Personal Injury and Malpractice Settlements, Special Needs Trusts, and the Court's Role

Thursday, February 23, 2006

5:30 p.m. to 8:00 p.m.

Join us for a 1.5 hour continuing education course designed to bring together judges and attorneys who might otherwise never meet (personal injury and probate).

This workshop is intended to look at settlements from start to finish, the roles of the Civil and Probate Court divisions, and tips for attorneys who handle such cases. The panel of presenters will also review the Court's role in referring civil settlements to the Probate division for continuing supervision.

Mistakes in the creation of the trusts or management of the assets could prove disastrous for the attorney, your clients, or the beneficiaries. Topics will cover attorneys' responsibilities, disbursements to individuals on public benefits, the disabled, or incompetent, creation of special needs trusts (personal injury, guardianship, conservatorships, estate distributions) and structured settlements. Something for everyone!

The panel includes **San Bernardino Superior Court Judge Christopher J. Warner, Riverside Superior Court Commissioner Joan (Ettinger) Burgess, Attorneys William Shapiro, Donnasue Ortiz, and Rene Abraham, and Structured Settlement Specialist Tom Stevenson.**

It will be held at the San Bernardino Radisson Hotel. A social gathering begins at 5:30 p.m., and buffet dinner at 6:00. The program will conclude at 8:00 p.m. Attendees will receive 1.5 hours of MCLE credit, of which 0.75 hour will be in the category of ethics. Cost of the program is \$35.00 to all attendees.

For reservations please call 909/885-1986 or send this page with your business card and your check made payable to the SBCBA to San Bernardino County Bar Assn., 555 N. Arrowhead Avenue, San Bernardino CA 92401.

Don't miss this program!