



BenchMarks: Donna G. Garza

Superior Court Judge,
County of San Bernardino

by Ed Butler

Becoming a San Bernardino County judge nearly nine years ago fulfilled a childhood dream of Judge Donna G. Garza.

She has presided mostly in criminal courts after a three-year stint as local prosecutor and eight years in civil practice, chiefly as plaintiff's personal injury attorney. Judge Garza recalls with special fondness her experience in the past as juvenile dependency court judge in San Bernardino.

For several years now she has run one of seven general or fast track criminal departments at Central District. In this capacity, she presides over all facets of criminal adjudication, from arraignment to trial, both misdemeanors and felonies. She rates the job as very rewarding: "I'm faced with listening to argument and trying to arrive at a fair and just resolution based on the arguments and law . . . every day is different."

Judge Garza spent her formative years as a beach-loving sister of two brothers in Huntington Beach. The daughter of a Safeway advertising executive dad and homemaker mom, she was born in Seattle. The family left there before she was a year old, and resided in Dallas until she was 10. Then came relocation to Southern California.

In addition to savoring varied water sports daily living near the beach, she was involved in student government and also drama activities in both junior high and high school.

Speaking of drama, it was a film depiction of a fictional judge, when she was 10 or 11 years old, that helped spur her interest in the law at an early age. Now she gets to be a real life judge in her own style.

Fond memories of an earlier time in Dallas helped draw her back there to attend Southern Methodist University, where she received her bachelor's degree in political science and history in 1978.

She early followed her father's footsteps into advertising, working as an account executive for a San Diego radio station.

Later she joined a political consulting firm, engaged partly in campaign public relations work in California and Dallas. In 1979 she joined the campaign staff of former Texas Gov. John Connelly, serving on his finance committee for 10 months in the nation's capital.

Despite this political experience, Judge Garza says she has not been tempted to run for elective office, besides that of judge.

She says the political work, however, did add to her interest in the law, and she received her juris doctor degree in 1985 from Western State University School of Law, Fullerton.

It was in law school that she met her future husband, Thomas Garza. Along with their destiny to be married, they were both destined to practice law in San Bernardino County.

Her first professional stop in the county was clerking at Gresham, Varner, Savage, Nolan and Tilden, where her boss was Stephan Saleson, recently appointed as judge of the county.

In pursuit of trial work, she took a job in 1987 as a deputy district attorney of the county. Her assignments there included misdemeanors such as drunk driving and juvenile crime.

Expanding her experience into the civil arena, she then joined her husband in the local law office of his father, Florentino Garza, now Garza, Garza and Pacheco of Redlands.

Judge Garza says she felt blessed to work in the accomplished firm. "It was a wonderful atmosphere to work in," she recalls. Having served mainly as a plaintiff's personal injury attorney, she admits there are times she misses the role of advocate. "I enjoyed being a civil lawyer. I don't say I necessarily enjoyed all the paperwork."

It took Judge Garza a bit by surprise, when Gov. Pete Wilson appointed her as Municipal Court judge in 1998, soon after she had applied. The timing was such, that the governor was then seeking more women to serve on the bench. Timing also was such that she was elevated in short order to Superior Court, upon formal unification of Municipal and Superior courts in the summer of 1998.

Thrust immediately into the fiery furnace of pre-preliminary and preliminary hearing criminal calendar, she received high marks from attorneys surveyed about her handling of the role. After about two years of that, she was re-assigned to Juvenile Court in San Bernardino, where she presided over both delinquency and dependency cases.

She holds fond memories of dependency court, which works with social service agencies to rehabilitate parents who have had conduct problems resulting in having their children removed from the home. Judge Garza describes it as "a very rewarding calendar," having the opportunity to observe parents working hard to regain custody.

Judge Garza also savors her current criminal fast track assignment, finding the cases interesting and the advocates to be very competent.

Exhibiting a pacifically confident and unassuming demeanor, Judge Garza indicates that the role of judge in general is very gratifying to her.

Among issues facing the court, she says "I think we do a magnificent job" bearing the county's notoriously heavy caseload. She says the large number of cases, now divided numerically by department, require a maximum amount of efficiency to get them processed. "I think you have a lot of competent judges (in the county) and a lot of 'go to' judges" willing to take on overflow from other departments, she says.

As for how society can better deter crime, she feels early intervention is key, or without that, investment in resources to support defendants in changing their course. She feels all defendants "have the ability to change from what's going on . . . if given the resources."

As for early release from jail to ease overcrowding, she says this may increase the number of court appearances for some misdemeanor defendants, but she does not see an impact in more serious crimes.

Asked for general advice or reminders to attorneys appearing before her, she emphasizes punctuality. This is important because "the calendars are so full and we have so many other matters to take care of before we have trials," she says. In the event of schedule conflicts, she asks that the attorney give the court advance notice.

With money appropriated to add more judges, Judge Garza was asked to suggest ideal traits for prospective judges. She emphasizes the importance of appropriate demeanor, and the ability to treat all sides fairly and listen to all arguments. She warns that one of the biggest challenges upon becoming a judge is remembering that one is no longer an advocate, requiring maybe a year to adapt.

Also, she says a judge needs to remember that "this is the people's court and basically we are here to assure that justice is served. It's not my courtroom, it's the people of the State of California's courtroom." Also, she says, it's important to treat all parties and officers of the court with respect and "to read the cases and law and all of that."

High on the priority list for the judge and husband Thomas are their two daughters, now in their latter teens. Jenna is a freshman at UC Irvine and Dani is a sophomore in high school.

Judge Garza says her favorite off work activities include being with her husband and children, and also travel. (She's especially fond of Hawaii.) She's also an avid recreational reader, and player of books on tape, leaning toward biographies and works on American history.

Among her activities, the judge serves on several court committees and on the board of the Unforgettables Foundation. It raises funds for families who have lost a child and need assistance with final arrangements.

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