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"Counsel, would you like to be heard?"

THANK YOU TO EACH OF THE JUDGES WHO TOOK THE TIME TO PEN AN ARTICLE FOR THIS ISSUE

I vividly recall one of my first court appearances in civil court as a licensed attorney. It happened at the Stanley Mosk Courthouse in downtown LA, and to put it simply, I was scared. The occasion was a case management conference, and according to my supervising partner, Joe Barrett, it was meant to be a straightforward review of the case's developments since the lawsuit filing. All I had to do was check in, announce my appearance, and update the Court on the case's progress. Joe walked me through the process, emphasizing details like taking two business cards, ensuring I had a pen, speaking clearly, not misrepresenting facts, and being courteous.

The night before the appearance, I diligently reviewed the case file and familiarized myself with its procedural history. I aimed to know the case well enough to address any questions the Court might pose. When my case was called, I approached the counsel's table, taking my place on the side closest to the jury box.

As it turned out, the hearing was more of a status conference. There was a matter on the calendar that required more than just a warm body with a basic understanding of the case; I would have to argue. Shortly after stating our appearances, defense counsel began making his case. I listened intently, tracking his points while simultaneously outlining my counter-arguments in my head. Most importantly, I was reading the judge for clues as to how the judge might decide the issue. A raised eyebrow. A sigh, A nod. What was the judge thinking?

After opposing counsel concluded his argument, the judge looked at me and asked, "Counsel, would you like to be heard?" I froze. My mouth went dry, and my mind blanked. When I finally emerged from my fog, I heard myself say, "No."

What I truly desired was for the judge, in all his grandeur and wisdom, to provide me with the answer. If not an answer, at least some guidance. I wanted to know how to persuade the court, the direction the court was leaning, how detailed my argument should be, where to start, and how much information the judge desired. I yearned for insight into the judge's thoughts so I could tailor my argument for maximum impact.

This edition of the advocate is themed "Perspectives from the Bench," and it's one of my favorites. Finally, we get to hear what judges think, not about the facts of our case, but about the law, the lawyers, and the legal landscape. When I first started trying cases, I was told that the judge is the 13th juror. It's true. They possess nuances that escape others' attention and understand the dynamics influencing a jury's decision. We can learn a lot from judges.

A few years ago, the Los Angeles Superior Court (LASC), in collaboration with Governor Gavin Newsom's office, established a judicial mentor program. The program aimed to "assist in the recruitment and development of a qualified, inclusive, and diverse judicial applicant pool." There was a call to action to all bar associations, and CAALA answered that call through the formation of the Judicial Pipeline Committee.

Like LASC, CAALA recognizes the importance of diverse representation on the bench. There is value in having a judiciary comprised of a broad spectrum of people who have varied experiences and perspectives. There is, however, a challenge. It's a perception problem. The perception among certain groups of lawyers is that there is one "path' to the bench. It involves having worked at either large civil-defense firm or as a criminal prosecutor. There is also a belief that one must be "overqualified" to apply to be a judge. These are both myths.

First, the reality is that there is no one path. There is room in our courtrooms for judges with legal backgrounds not only in criminal prosecution and civil litigation defense, but also family law, immigration, and civil litigation attorneys who represent people. There is room for women, people from different racial, ethnic, and cultural. There is room.

Second, one does not need to be overqualified to apply. One need only be qualified. That does not mean having tried multiple civil *and* criminal cases to verdict or having practiced decades. It means possessing the ability, temperament, work ethic, fairmindedness, integrity, and requisite number of years of legal experience (10+) necessary to serve as a judge.

Promoting diversity in the judiciary involves redefining the traditional paths to judgeships. We aim to make the prospect of becoming a judge more attainable for attorneys whose career paths may not align with the conventional trajectories. CAALA's goal is to encourage all these people, especially plaintiff lawyers, to apply to the bench. The judicial pipeline committee will provide education on the bench appointment process and offer resources through our webpage to potential applicants.

As CAALA works to make the path to becoming a bench officer accessible for attorneys who might not have considered donning a black robe, CAALA will also continue to work closely with the courts through our Bench-Bar Committee, which was established to facilitate communication and collaboration between judges and the association; promote fairness, efficiency, and professionalism in the practice of law; and advocate for improvements in the judicial system.

I began this message by talking about fear. Although I'm no longer afraid of what a judge might ask me, I still get butterflies each time I walk into a courtroom. Now, it's more due to excitement than nerves. One thing that remains the same is that I still wonder what judges think – what they really think. Thank you to each of the judges who took the time to pen an article for this important issue. Your perspectives are crucial. You are heard.