

Judge Lawrence Riff
LOS ANGELES SUPERIOR COURT

Reflections of an outgoing supervising judge

LOOKING BEHIND THE SCENES AND TOWARD THE FUTURE

I have been a Supervising Judge ("SJ") for four and a half of my 11 years as a Superior Court Judge in Los Angeles. I was the SJ of the ~80 judicial officer Family Law Division, assuming that role just before COVID hit. And I am the SJ of the ~155 judicial officer Civil Division. My term ends on December 31, 2026. In these jobs, I have learned some things along the way. I have been invited to share some reflections on these pages and I'm pleased to have the opportunity.

Our court has six SJs if you include the "presiding judges" of the Juvenile Division and the Superior Court Appellate Division. (There are technical reasons why those judges are "presiding" v. "supervising.") The others are SJs of the Criminal, Civil, Family, and Probate Divisions. There is also at least one Assistant Supervising Judge for each division (the Civil Division has two).

The office of SJ is an appointment from the court's Presiding Judge ("PJ"). Generally, an SJ serves for the two-year term of the PJ although sometimes an SJ will serve longer (being asked to stay on into the new PJ's administration) and sometimes the SJ will serve a shorter duration. An SJ's term is entirely at the pleasure of the PJ and I have no problem with that. Given the awesome responsibilities of the PJ (take a look at California Rule of Court, rule 10.603), the PJ should have a leadership team aligned with his or her vision at all times.

Reflection 1: The leadership team of our court tries very hard to live up to our mission statement. These people are not slackers

In a capitalist society, we count on competition to improve the delivery of goods and services. "Creative destruction" is the concept famously popularized by the Austrian-American economist Joseph Schumpeter in his 1942 book *Capitalism, Socialism, and Democracy*. He described it as the constant cycle where old economic structures are torn down to build better ones. Unrestrained capitalism can be brutal (think monopolies and labor exploitation) but with a good dose of government regulation, capitalistic competition generally delivers better and beneficial products and services.

But our court, and all courts, have no competitors to drive us to higher achievement. There's only one place to go if one needs a divorce decree, to adopt a child, to evict a non-paying tenant, to force a landlord to comply with habitability laws, or to stand trial for an alleged criminal offense.

Fifty years ago, Lily Tomlin delivered an iconic sketch on Saturday Night Live where she played an arrogant telephone operator for an all-powerful telephone company. (Yes, kids, there was a time when ATT Bell System was the only provider of telephone services.) Her classic line: "We don't care. We don't have to. We're the phone company." Our court, like the phone company of yore, is too big to fail.

Given these dynamics, a culture of complacency, mediocrity, sinecure and privilege could easily set in. We could "not care because we don't have to." But my point is: that's not what's really happening. Our mission statement reads: "The Court serves our community by providing equal access to justice through the fair, timely and effective resolution of all cases." There is a lot packed in that one sentence and I think it should be read in the same spirit as the U.S. Constitution's aspiration to form a more perfect union. Our mission is a work in progress and likely always will be.

If not competition, what is driving court leaders? It is an individual's, and a team's, dedication to public service. Motivation by altruism, integrity, accountability and impartiality. These people have a desire to solve complex social problems and to feel fulfillment from seeing a tangible, positive impact on other people's lives. I know this sounds like self-congratulatory platitude, but it is a real thing and you know it when you see it in action. I see it every day.

Reflection 2: We work under surprisingly impaired circumstances

Every school kid learns that there are three co-equal branches of government which operate in a complex set of checks and balances. We count on the third branch, the judiciary, to carry a big load. In addition to the checks and balances to protect against abuse of power, we look to the courts for protection of minority rights, fair and impartial trials, and stability of the rule of law. "The rule of law" is our civil religion and exists only so long as the people believe in it. The judiciary, to complete the metaphor, is the high priest class of this religion. Heaven help us if the believers stop believing.

Yet the fact is that the judicial branch is starved of resources. It receives about 1.5% of the California budget. Our courthouses are in shockingly poor shape overall, careening from one broken pipe flooding event to the next. (In January 2024, our Compton Courthouse had two major flooding events within one month.) Try finding a day when all the escalators and elevators in our flagship Stanley Mosk Courthouse are all operational. Try finding a working drinking fountain. Some very well-meaning legislators have toured our facilities and, I think, are shocked by what they see. They should be. I hope more legislators will come take a look for themselves.

It's worse than just decrepit facilities. Based on standard nationwide-accepted metrics utilizing the number of new filings per year, the Superior Court of Los Angeles County is profoundly underfunded. The model states that we need an additional 1,900 employees in our court to do the work. (No, that is not a typo.) And yet the number of new case filings is increasing by double-digit percentages almost every year.

These are interpreters, folks in our self-help centers, court clerks, judicial assistants, courtroom attendants whom we cannot hire. Why does the telephone sometimes go unanswered in the department when you call? This is why. Why does it take multiple days to process your court filing? This is why. Given this resource constraint, it is amazing how well we are doing. With another 1% of the state budget, we could do so much more.

Reflection 3: The court's Senior Executive Team is totally underappreciated by the legal community

The scope and size of our court is stunning: 36 courthouses; 12 judicial districts; 582 authorized judicial positions; 4,600+ employees; 3,200+ jury trials per year; 2.2 million jurors summoned per year; 1.26 million new filings per year; 190,000+ instances of service for self-represented litigants per year. Judges are very good at what we do but, honestly, we do not know how to run or operate any court system much less the largest court in the U.S.

But there is a group of extraordinarily talented and experienced individuals who do. They are the Senior Executive Team ("SET") who report directly to the Court Executive Officer, David Slayton. Mr. Slayton is probably the most creative and hard-driving court professional in the nation. He ran the state of Texas's court system and ran the National Center for State Courts before we wooed him to Los Angeles. He happens to be a very nice guy as well.

A hard lesson for any incoming SJ is that bringing any idea from inspiration to reality requires skills and knowledge not in the possession of the SJ. The idea must pass through budget, facilities, computer technology services, labor agreements, human relations skills acquisition, legal, and have a communications plan. The SET makes it happen, not the SJ.

I was so impressed by this revelation that I wrote a series of columns for the Los Angeles Daily Journal called "the most important people you have never heard of" which profiled the members of the SET. I had the honor of serving as "the Dean" of our court's first Leadership Academy in 2024 and had a hand in developing the curriculum. It included a detailed drill-down into the work of the SET. No SJ can be successful without an appreciation of the SET's work. I wish they were better known in the community.

Reflection 4: We were blind but now we see.

A great line from Amazing Grace and frankly an overstatement of my point. Our court has always collected data and analyzed it. We were not blind. But there has been a revolution in data analytics on our court over the past five years. Our Computer Technology Services has been able to scrape and analyze scads of data from our operations which provide deep insight into challenges faced and solutions proposed. (Big shout out to our Chief Technology Officer, Mike Baliel, a member of the SET.) For example, if we have the resources to open another courtroom, we can now answer the questions of what type (Family law? Criminal? Civil?) and where (Pomona? Van Nuys? Central?) with a collection of key performance indicators informed by a very rich data set. This is new and results in far better decision-making.

Reflection 5: We have much to be proud of on our court but there is a lot of room for improvement.

The Superior Court of Los Angeles County is a national leader in innovation and delivery of justice services. At least monthly, delegations from courts in foreign countries come to visit us to see what we do and how we do it. We have unique research partnerships with the RAND Corporation, UCLA, Claremont McKenna, and Stanford on cutting-edge programs and technologies that no other court in the country is developing. That's great stuff. But there is work to be done.

I earlier commented that our mission statement should be seen as an aspiration and a work in progress. Let's take a look at the "equal access to justice" clause. Our civil litigation system was designed by English and early American traditions and is based on litigants having lawyers. But the reality is sobering. Some 75% of all civil cases have one party self-represented. In family law, it's 60-90%. In eviction and debt collection cases, it's 90% and almost always it is the defendant tenant or debtor who is struggling with no lawyer. How equal is access to justice?

Our court is doing marvelous things – staying "within our lane" of providing a neutral forum and within the prohibition of our not giving legal advice – to equalize the imbalance. We are developing superior communication methods where we truly "meet people where they are" as the saying goes. One example: We see that a vast number of unlawful detainer (eviction) cases are concluded by default because the tenant never engages in the litigation process. We developed technology that now pushes out text reminders to both sides in UD cases of upcoming deadlines and hearings. Hey, Amazon can do it – why not us? Simple and effective, engagement has meaningfully improved.

Now, let's take a look at the "timely resolution" clause of our mission statement. Gone are the days when no cases went to trial except with the five-year statute breathing down everyone's neck. Still, overall, cases in our unlimited civil courts move far too slowly in my opinion. We have undertaken a deep-dive study into the interval between the filing of a motion and the hearing of that motion to try to understand why there is so much variance among departments and, generally, why the interval is so long. The reasons are many (and some we can place at the feet of the bar). We have addressed much of the low-hanging fruit. It's better but not good enough. Still, with our IC courts now having inventories of 1,200 cases (up from about 500 four years ago), there is only so much fruit to be pruned if we are to stick with our traditional methods. Which leads me to my last reflection.

Reflection 6: Something really big is about to hit and it will vastly change our court. We should be very optimistic.

I have been trying to think of historic analogues to the AI revolution in which we now find ourselves. Perhaps living in Los Angeles in 1874 and anticipating the arrival of the transcontinental railroad. Or the awe of the populace attending the 1893 World's Fair in Chicago where Americans first experienced electric light when George Westinghouse used AC current to

illuminate 100,000 lightbulbs. I think both examples are too modest for our present circumstances.

Love it or hate it, AI is here. My personal opinion is that AI and automation will solve a great many of the intractable problems we have long faced in our court. It will permit us to live up to the true spirit of our mission statement: equal access to justice through the fair, timely and effective resolution of all cases.

I hasten to add this does not mean we turn over the judicial function to ChatGPT or Claude. Humans will continue to decide adjudicative disputes and I wouldn't have it any other way. And AI technology warrants our caution for the many reasons we all know and likely more that we don't. But I think that in 36 to 48 months we will be doing things with automation that will vastly improve the community's experience with our legal system, make great strides in equalizing access to justice, speed up resolution of disputes with no tradeoff in the quality of decision-making and, most important, bolster our civil religion, the rule of law. I think we will look back at the latter part of the 2020s as a watershed time when we were able to turn our most cherished aspirations for a justice system into reality. It's a great time to be alive.



Judge Riff is the Supervising Judge of the Civil Division of the Superior Court for the County of Los Angeles. Judge Riff's civil assignments have included small claims, civil trial court, civil I/C court, Coordination Trial Judge for the Asbestos JCCP, and a Complex Civil department in the Spring Street Courthouse. Judge Riff earlier served as Supervising Judge of the Family Law Division. Judge Riff is a member of the American Board of Trial Advocates (with 40+ Superior and U.S. District Court jury verdicts); has served on the Board of the Los Angeles Chapter of the Association of Business Trial Lawyers; is a member of the Judicial Council of California Family and Juvenile Law Advisory Committee and the Data Analytics Advisory Committee; is a two-term elected member of the Superior Court's Executive Committee; is an Adjunct Professor of civil trial practice at Loyola Law School; recipient of the 2023 University of Oregon School of Law Distinguished Alumni Award; and the 2026 recipient of the Los Angeles County Bar Association's Spencer Brandeis Award. In his law practice, Judge Riff was a five-time recipient of the Daily Journal's Top Defense Verdicts and recognized as a "Top 100 Attorney" by Southern California SuperLawyers from 2009-2014 and a "Top 10" in 2015.