



D. ROSS CAMERON — Staff

Judge Richard Hodge started as a lawyer for various celebrities, working in contract law. Today he sits on the bench of Alameda County's superior court in Hayward.

County judge's award-winning style

By Danielle Cass
STAFF WRITER

Alameda County Superior Court Judge Richard Hodge starts each trial in his court by reading to jurors Atticus Finch's final argument in "To Kill a Mockingbird," the Pulitzer-prize winning novel by Harper Lee.

It's about how men, and women, Hodge adds, are created equal in the court of law.

"There's always the possibility, no matter how improbable, that he's innocent," Finch said in the book.

"Trial is drama. I try to tell lawyers that and if they don't get that they should be doing something else," says Hodge, whose dramatic flair is one of the traits that earned him the award of California's Trial Judge of the Year.

The fact that Hodge, who currently handles civil cases in Hayward, was voted Judge of the Year by the California Trial Lawyers Association 100-member board comes as no surprise to the people who know and work with him.

"He's the hardest-working judge here in Hayward if not on our whole court," said Superior Court Judge Ronald Sabraw, adding that Hodge often gets the court's most complex civil cases.

"He's a no-nonsense judge," Sabraw said. "He's demanding of the lawyer and doesn't play favorites. And he's not particularly patient in inconveniencing jurors and witnesses."

Appointed by Gov. Jerry Brown in 1981, Hodge was an unusual choice for the bench coming from his criminal and entertainment law practice in San Francisco.

An Ohio native, Hodge moved West in 1964 "looking for some sunshine" and landed in Berkeley. After a stint with the Contra Costa District Attorney's Office, he started a private criminal and entertainment law practice, where he handled the contracts for bands including the Steve Miller Band, Kenny Loggins and Boz Scaggs, and writer Richard Brautigan.

From there, he was tapped by Brown to the Superior Court bench and the rest is history — literally.

Hodge was chosen for this year's award partly because of his landmark court decision in 1989 that set the precedent for water law in the state of California.

Hodge ruled that East Bay Municipal Utility District could only divert the American River for Bay Area water consumption if EBMUD protected the river's fish and wildlife.

Referred to in textbooks as "Hodge flows," Hodge's decision ordered EBMUD to maintain minimum water flows so the river species can survive. The ruling affects state water law for the next 50 years, said Jerry Dohrmann, Hodge's faithful court reporter and biggest fan.

Quick-witted and soft-spoken, Hodge seems almost embarrassed

about winning the award. He says there is nothing magic about him. He says he does all his research and work while commuting on BART from his Berkeley home to the courthouse.

"I'm a BARTophile," said Hodge, 56, a self-described dyed-in-the-wool Berkeleyite.

A tall stack of classical music compact discs sit behind Hodge's office desk ("thinking music" he says) and blown-up photographs of his blond surfer son, Aaron, line the walls.

He has piles of letters, and some poems, written by jurors after trials ended that tell what a great judge he is. Dohrmann, Hodge's court reporter of 14 years, says it's the judge's personality that makes him unique.

"Not only does he have such a great analytic mind and is a legal scholar, but he's down to earth," Dohrmann said. "You can walk into his chambers any time."

Emeryville criminal defense attorney Penny Cooper called Hodge an extremely bright and classy guy.

"He should be on the appellate bench some day," said Cooper, who worked with Hodge in the 1970s on big criminal cases. "He was a great, great lawyer. If he's as good a judge as he was a lawyer, then he's great."

In 1989, the last year statistics are available, Hodge's courtroom handled 30 percent of the civil cases in Alameda County.