

HON. THOMAS L. WILLHITE, JR.



California Court of Appeal (Ret.)

Available for: Mediations, Arbitrations,
References, Private Trials,
Appellate Consultations



The Honorable Thomas L. Willhite, Jr. joined ADR Services, Inc. in February 2023 after a distinguished judicial career of more than 30 years, having served on the former Los Angeles Municipal Court, the Los Angeles Superior Court, and the California Court of Appeal. As a judge of the Los Angeles Superior Court, besides several criminal law assignments (including long-cause criminal trials in a high security courtroom), Justice Willhite presided over a fast-track civil trial court for five years (2000-2005). In civil trial court, he heard law and motion matters, conducted settlement conferences, and tried cases involving a broad range of civil claims, such as construction defect, insurance coverage and bad faith, contract and business disputes, personal injury, and claims under the Fair Employment and Housing Act (FEHA). He became known for his grasp of civil law and procedure, his fairness, and his calm demeanor and temperament.

In a profile published during that period in *California Courts & Judges* by James Publishing, attorneys interviewed described Justice Willhite as “a wonderful judge,” “patient but firm,” “very courteous and polite,” “an A+ on demeanor,” “efficient,” “always punctual,” an “intellectual judge” but also “a practical judge who can find solutions to difficult issues.” Said one attorney: “He was very knowledgeable about the law even though he ruled against me. I thought he took the time to really try to understand all the issues.” According to another: “On at least one occasion, opposing counsel and I have called the clerk and he has gotten on the phone and worked through an issue with us telephonically without moving papers and without appearing in court. He was willing to roll up his sleeves ... and opposing counsel and I were able to get some things resolved which otherwise would have complicated the case.” Summing up, the publisher wrote: “‘I give him top marks,’ said one attorney, a sentiment shared by most of the attorneys interviewed. Lawyers indicated his strength as a judge is his willingness to do the hard work of learning about and sorting through difficult legal issues, a skill that is most appreciated by attorneys in complex cases.”

In 2005, having been rated exceptionally well qualified by the California State Bar JNE Commission and the Los Angeles County Bar Association, Justice Willhite was appointed as an Associate Justice to the California Court of Appeal, Second Appellate District, Division Four, where he served until 2023. As an appellate justice, Justice Willhite developed a reputation for the conciseness, clarity, and analytical rigor of his opinions, his command of the law and appellate procedure, and his collegiality with his colleagues and the bar. In his Daily Journal appellate profile, he was described by attorneys as having “the ability to cut to the chase and discuss what is really going on the case,” and of demonstrating “a combination of thoughtfulness, careful research, good common sense and judgment.”

Justice Willhite has authored more than 2,000 opinions in many diverse areas of the law, including arbitration, asbestos litigation, CEQA, the California Coastal Act, class actions, commercial contract and general business litigation, consumer law, defamation, elder abuse, employment law, eminent domain and inverse condemnation, education law, employment law, family law, health care, insurance coverage and bad faith, intellectual property and trade secret litigation, personal injury and wrongful death, probate and trusts, products liability, professional liability, real estate, and worker's compensation exclusivity. More specific information about his experience is available in his representative cases section.

Justice Willhite has been a frequent lecturer in judicial education on various topics. He is fluent in Italian and has been a guest lecturer in comparative law at two Italian universities.

In his spare time, Justice Willhite enjoys cooking, reading and travel. He also raises money for the Los Angeles Regional Food Bank through selling tickets to annual dinners that he and his wife host at their home, for which he is the chef.

AREAS OF SPECIALIZATION

- Appellate
- Business / Consumer Contracts
- CEQA/Environmental
- Civil Rights
- Class Actions
- Employment
- Health Care
- Insurance
- Medical Malpractice
- Personal Injury/Torts
- Probate, Estate & Trusts
- Product Liability
- Professional Malpractice
- Real Property
- Trade Secrets / Intellectual Property

JUDICIAL EXPERIENCE

California Court of Appeal

Associate Justice, Second Appellate District, Division Four, 2005-2023

- Authored more than 2,000 opinions and reviewed thousands of civil and criminal appeals and extraordinary writ matters in many diverse areas of the law.

Superior Court of California, Los Angeles County

Judge of the Superior Court, 1997-2005

- Presided over a fast-track civil trial court for five years. Heard law and motion matters, conducted settlement conferences, and tried cases involving a broad range of civil claims.
- Handled several criminal law assignments, including long cause criminal trials in a high security courtroom.

Municipal Court of California, Los Angeles County

Judge of the Municipal Court, 1990-1997

- Presided over misdemeanor criminal trials.

LEGAL EXPERIENCE

Office of the Attorney General, California Department of Justice

Supervising Deputy Attorney General, Criminal Division, 1980-1990

- Appellate lawyer for the California Attorney General's office. Argued cases in virtually every court except the United States Supreme Court.

EDUCATION

- Loyola Law School, Juris Doctorate, 1979
- University Of California, Los Angeles, Bachelor of Arts in History, 1976

JUDICIAL TEACHING EXPERIENCE

- Lecturer, California Judicial College, 2007-2010
Topic: How to Make an Appellate Record.
- Lecturer, Various Los Angeles Superior Court Seminars, 2007-2022
Topics: Summary Judgment Procedure; Jury Instructions; Civil Writ Proceedings; Criminal Habeas Corpus Procedure; Judicial Ethics; Making a Record.

FOREIGN TEACHING EXPERIENCE

- Guest Lecturer, Libera Università Internazionale degli Studi Sociali (LUISS), Dipartimento di Giurisprudenza (Rome, Italy), 2022
Topic: Comparative Law.
- Guest Lecturer, Università Degli Studenti di Napoli Federico II (Naples, Italy), 2021
Topic: Comparative Law.
- Guest Speaker, Libera, Associazioni, Nomi E Numeri Contro Le Mafie (Genoa, Italy), 2019
Topic: Organized Crime in Los Angeles.

PROFESSIONAL ASSOCIATIONS

- California Criminal Jury Instruction Committee, Judicial Council of California, 2012-2022
- California Indigent Defense Oversight Committee, Judicial Council of California, 2006-2012
- Appellate Rules Committee, Judicial Council of California, 2006-2009

LANGUAGES

Justice Willhite is fluent in English and Italian.