

Get to Know Hon. Marie Weiner (Ret.)



With more than 40 years of experience in civil litigation and over two decades on the San Mateo County Superior Court bench, **Hon. Marie S. Weiner (Ret.)** is a respected leader in California's legal community. Her expertise in complex civil litigation, discovery management, and procedural efficiency has earned her recognition statewide. Now serving as an arbitrator, discovery referee and mediator with ADR Services, Inc., Judge Weiner applies her methodical, fair-minded approach to high-stakes disputes as well as general civil cases across a wide range of practice areas. We spoke with her about her judicial career, current focus, and the values that guide her neutral work.

Q: Let's begin with your civil litigation experience—what did your career look like prior to becoming a neutral?

Judge Weiner: I spent over 40 years in civil litigation—19 years in private practice, followed by 22 years on the bench. As a trial attorney, I represented clients in high-stakes civil matters and eventually became a partner at Cotchett Pitre & McCarthy. One of the highlights of that time was securing the largest jury verdict in California in 1991. I was appointed to the bench in 2002, where I served in many leadership roles, including as the Complex Civil Litigation Judge for 12 years and the Civil Supervising Judge for San Mateo County.

Q: What areas of law do you consider your subject matter expertise?

Judge Weiner: My expertise is in complex civil litigation—business and partnership disputes, insurance bad faith, employment and wage/hour

issues, trade secrets, CEQA and environmental law, class actions, personal injury, consumer fraud, and construction defect cases. I'm also deeply experienced in discovery disputes and civil motion practice.

Q: What were some of your proudest accomplishments during your time on the bench?

Judge Weiner: Several moments stand out. I'm proud to have led the transition of our civil division from a master calendar to a single-judge assignment system, which significantly improved case continuity. During the pandemic, I worked with our staff and judges to keep the civil courts open—we conducted the first remote civil bench trial via Zoom in California. I've also been honored with the California Judges Association President's Award and named 2009 Judge of the Year by the San Mateo County Trial Lawyers Association.

Contact:

www.judgeweiner.com

Sejla Garbo

sejlateam@adrservices.com

[\(408\) 280-7111](tel:(408)280-7111)

Q: What strengths do you bring to your work as a neutral?

Judge Weiner: I bring discipline, organization, and judicial rigor. I've spent years managing complex litigation and resolving discovery disputes efficiently. I'm known for being methodical but also compassionate. I've always been attuned to the human element—understanding litigants, their motivations, and how best to structure a fair resolution.

Q: How would you describe your approach to discovery disputes and case management as a referee?

Judge Weiner: I believe discovery should be purposeful. I encourage a phased approach—this prevents unnecessary costs and helps parties focus. I also help counsel structure a logical and efficient deposition schedule, and I expect a collaborative approach to solving scheduling or production issues. It's about promoting fairness and streamlining litigation.

Q: What drives your continued interest in dispute resolution after retiring from the bench?

Judge Weiner: Judicial resources are limited. The more that arbitrators and referees can resolve cases or pretrial issues, the more we can ease the pressure on our civil courts and serve the broader legal community. It's important work, and I'm proud to continue contributing in this way.

Q: How do your personal experiences influence your professional perspective?

Judge Weiner: I've supported myself since I was 19—and I understand the struggles that litigants may face. I've served as a Drug Court judge, which gave me a deeper understanding of human frailty and resilience. I also bring a business perspective—I have a degree in Business Administration with emphasis in Management and Marketing, and I've always felt comfortable with numbers, accounting, and finance. That combination of compassion and pragmatism is something I bring to every case.

I also was always very active in the legal community, including leadership positions and committee work – with the San Mateo County Bar, the ABA, the State Bar of California, the JNE Commission, and the California Judges Association – which helps provide personal experience in consensus building.

Q: What do you enjoy most about arbitration and referee work?

Judge Weiner: I'm constantly learning. Every case is an opportunity to understand new businesses, technologies, and human dynamics. I also enjoy helping attorneys and litigants move cases forward, especially when the courts are stretched thin.

Q: How do you think attorneys who've appeared before you would describe your style?

Judge Weiner: I'd like to think they'd describe me as tough but fair—organized, professional, and deeply committed to getting it right. I expect professionalism, but I also try to bring common sense to everything I do.

A Practical, Fair-Minded Approach to Neutral Work.

As an arbitrator and discovery referee, Judge Weiner brings structure and clarity to even the thorniest procedural disputes. She promotes a phased, cost-conscious approach to discovery and encourages attorneys to collaborate on efficient case management. She is particularly effective in document-heavy matters, and those requiring close scrutiny of evidentiary and procedural issues.

Known for her common sense and compassion, she draws on her background in business administration and business litigation, her experience as a Civil Supervising Judge and Complex Litigation Judge, and an understanding of the challenges of client representation and the human dimensions of litigation. Her fairness, attention to detail, and ability to cut through complexity make her a trusted neutral for both sides of the bar – be it as a mediator, arbitration or discovery referee.