



HON. PATRICIA D. BENKE

California Court of Appeal (Ret.)

Services: Mediation, Arbitration,
References, Special Master



Hon. Patricia Benke is a distinguished legal professional with over 40 years of service in the judiciary and legal field. She brings unparalleled expertise and a deep commitment to justice to her new role as a neutral with ADR Services, Inc. Her career reflects an unwavering dedication to fostering fair and equitable resolutions across a wide array of legal disciplines.

For 35 years, Justice Benke served as an Associate Justice of the Fourth District, Division One, California Court of Appeal, where she authored numerous opinions on complex legal issues. Her thoughtful and comprehensive legal analysis earned her a reputation for excellence in decision-making and a profound impact on California jurisprudence. Prior to her appellate court service, she spent four years as a Superior Court Judge, presiding over the Law and Motion Department and the Family Law Department. During this time, she handled civil trials involving government agencies, personal injury, and family law, demonstrating an exceptional ability to address intricate legal challenges with fairness and empathy.

Justice Benke began her career as a Deputy Attorney General, representing the state in various legal proceedings. This foundational experience solidified her expertise in litigation and prepared her for her extensive judicial career. Beyond her courtroom accomplishments, she has shared her knowledge and passion for the law as a professor at National University, designing and teaching courses in Alternative Dispute Resolution. Her dedication to advancing innovative approaches to conflict resolution is evident in her work and teaching.

Throughout her career, Justice Benke has received numerous accolades, including the inaugural Napoleon Jones Award for Judicial Excellence from the Earl B. Gilliam Bar Association. She is particularly proud of her work in cases that bridged deep divides, such as the Soledad Mountain Cross case, which achieved reconciliation between religious and atheistic perspectives. Equally notable is her ability to guide individuals through personal transformations, as evidenced by a family law case where her intervention helped a father regain custody of his child through a renewed sense of responsibility and commitment.

Justice Benke's mediation philosophy centers on understanding and empathy. She believes that alternative dispute resolution should complement the judicial system by providing creative and effective avenues for resolving conflicts. In mediation, she focuses on facilitating agreements that enhance the parties' quality of life, while in arbitration, she ensures rigorous adherence to legal principles to deliver clear and well-reasoned decisions. Her approach to pre-mediation preparation is thorough and client-focused, involving detailed case analysis and personalized discussions with parties to identify key obstacles and explore resolution options. Post-mediation, she remains available to support parties and ensure satisfaction with the process.

In her role as a neutral, Justice Benke draws on her extensive legal background and her personal commitment to helping individuals and organizations resolve disputes in a fair and efficient manner. Her patient demeanor, exceptional listening skills, and strategic thinking make her an invaluable asset to litigants. She is particularly motivated by the opportunity to make justice more accessible and equitable for all, fostering a legal system that is responsive to diverse populations and mindful of the human aspects of conflict resolution.

Justice Benke's remarkable career, combined with her unwavering dedication to resolving conflicts and promoting equitable access to justice, underscores her commitment to fostering understanding and resolution in all her endeavors. Her personal values align seamlessly with her professional mission, ensuring that all parties she works with feel heard, respected, and empowered to reach fair and meaningful resolutions.

AREAS OF EXPERTISE

- Government and Administrative Law
- Homeowners' Association Disputes
- Wildfire Litigation and Settlement
- Energy and Utilities
- Environmental and Toxic Torts
- Personal Injury
- Health and Medical Disputes
- Consumer Cases and Class Actions
- Product Liability
- Wills and Trusts
- Appellate and Trial
- Special Master Appointments
- Mock Trials
- Evidence References

EDUCATION

University of San Diego School of Law (J.D., May 1974)

- Managing Editor, San Diego Law Review

San Diego State University (B.A., June 1971)

- Major: Political Science, Minor: Telecommunications
- Graduated with Highest Honors

Pasadena City College (A.A., May 1969)

- Administrative Honors and Distinctions in Political Science

JUDICIAL EXPERIENCE

Associate Justice, Fourth District Court of Appeal, Division One (1987 - 2021)

- Authored over 400 published appellate decisions
- First woman and youngest appointee (37 years old) to Division One
- Presiding Justice *Pro Tem*, California Supreme Court (2010)

Judge, San Diego Superior Court (1985 - 1987)

- Civil Law and Motion Department (1986-1987)
- Domestic Law and Motion Department (1985-1986)

Judge, San Diego Municipal Court (1983-1985)

PROFESSIONAL EXPERIENCE

Deputy Attorney General, California (1974-1983)

- State President, Association of California Deputies Attorney General (1978)
- Attorney General's Representative, Task Force on Probation and Parole (1977)

HONORS

- Named a "Legend of the Bar" by San Diego County Bar Association (2018)
- Judicial Master, San Diego Appellate Inn of Court
- Napoleon A. Jones Award for Judicial Excellence (2011)
- Distinguished Alumni Award, University of San Diego School of Law (2007)
- Profiled in *San Diego Magazine* as one of "88 People to Watch in 1988"
- Honorary Doctorate, University of California, San Diego (1990)

PUBLICATIONS

- Recent Article: *Los Angeles Daily Journal* (August 29, 2024) - "Reflections on Oral Argument from an Appellate Justice Turned Practitioner"