

Judicial Profile



HON. RICHARD C. HUBBELL

Judge
Los Angeles County Superior Court

PROFILE Although Los Angeles Superior Court Judge Richard Hubbell is known to be an avid UCLA football fan, an attorney who has worked with him says the judge prefers to watch the games on videotape, rather than view them live and risk seeing his favorite team lose.

“He's afraid the excitement might be too much for him,” jokes the lawyer.

Hubbell does not appear to like unpredictability in the courtroom any more than he likes uncertainty in football games. The longtime municipal court judge and commissioner, whom Gov. George Deukmejian elevated to the Superior Court in May, generally earns high marks from lawyers for his knowledge of the law, fairness of his rulings, and promptness in handling cases.

But lawyers also note Hubbell is a reserved, formal man, whose desire to run an efficient courtroom sometimes causes him to treat attorneys in a cold, impatient manner.

“He runs almost too tight of a courtroom,” explains a civil litigator. “He doesn't have a lot of patience, although he's a very fair judge. He follows the law and doesn't let his personality or feelings get involved. He obeys the law and is a good listener. But I'd prefer if he'd be a little more jovial.”

“He runs a formal, no-nonsense type of courtroom,” agrees a defense lawyer. “There's not any light hearted banter or humor. He doesn't like to sit on the bench and chit-chat with attorneys.... He's not the kind of guy who goes out of his way to ingratiate himself to others by being warm and friendly.”

Hubbell has been equally reserved with The Daily Journal. Over the past several years he has consistently declined requests for a profile interview.

Ironically, the judge with the desire for anonymity recently found himself embroiled in a highly publicized dispute with Los Angeles County District Attorney Ira Reiner.

The dispute arose in February, 1984, when Hubbell, then a Los Angeles Municipal Court judge, ordered a new trial for Richard Jensen, a nurse convicted of sexually molesting a quadriplegic man on a life support system. Hubbell concluded Jensen was denied a fair trial because prosecutors failed to provide defense lawyers with notes taken by a witness in the case.

Reiner, who oversaw the Jensen prosecution when he was Los Angeles city attorney, vehemently denounced the ruling.

“It is, to put it mildly, the worst decision that I've ever come across in 20 years in a trial court,” Reiner said at the time. “I am dismayed, disgusted, embarrassed, and ashamed.”

A deputy city attorney, while far less caustic than Reiner, recalls he also was surprised by Hubbell's decision.

Ruling Overturned

“He was a good, solid reasonable judge we would like ruling in our cases,” explains the deputy. “His ruling came as a surprise to me; I'm still not sure of his motives in doing that.”

The city attorney's office appealed the ruling to the appellate department of the Los Angeles Superior Court. The appellate department eventually overturned the ruling, and returned the case to Hubbell for sentencing.

Hubbell once again incurred Reiner's wrath last February, when he sentenced Jensen to three years probation and a \$500 fine. Reiner personally appeared before Hubbell to seek a tougher sentence, and later harshly criticized the judge for refusing to send Jensen to prison.

“This man gives weak-kneed judges a bad name,” Reiner said about Hubbell. “There isn't any question that Jensen should have been given a county jail sentence.”

Reiner's criticism are the exception, not the rule. Since he has been on the superior court, where he is hearing cases at the Criminal Courts Building, Hubbell has impressed some attorneys with his academic knowledge of the law, his diligence, and his fairness.

“He's very efficient; there's no wasted time. He's on the bench almost immediately if he knows attorneys are out in the courtroom waiting for him. He doesn't keep attorneys waiting while he's having coffee with lawyers in his chambers,” says a defense lawyer.

A prosecutor who tried a case before Hubbell describes the judge as “basically a nice man, who just doesn't smile a lot, but has a reasonable sense of humor. He's just a very reserved man who is not as loose on the bench (as other judges) and doesn't lose control of the courtroom. He doesn't have an outgoing sense of humor like many judges do. He is not oppressive; he's just pretty reserved and maintains his demeanor.”

However, some attorneys say Hubbell is less formal in chambers than he is on the bench.

“He's really quiet out on the bench, gives you a real good trial. But in his chambers, he's just a roar. He has a dry sense of humor, almost an English kind of sense of humor. He's a good judge. He leaves you alone, respects the attorneys and likes to see them work out an agreement. If they don't and he makes a ruling in trial, it's final,” says a defense lawyer.

“In chambers, he's personal, warm, more relaxed and easy to talk to,” agrees another lawyer. “He'll probably warm up on the bench as he gets more

experienced and confident in his positions."

A prosecutor recounts a conversation he had with Hubbell after the judge was elevated to superior court. According to the lawyer, Hubbell would prefer to be handling civil, instead of criminal cases. "He has told me his background is in civil (cases), and he prefers when he has enough seniority to be able to do the civil stuff," he says.

Hubbell, 54, has handled a variety of criminal and civil cases since he was admitted to the bar more than 25 years ago. Richard Clegg Hubbell was born in Mineola, N.Y., and raised in Los Angeles. He earned his bachelor's degree from UCLA in 1954 and his law degree from that university four years later.

Trial Lawyer

After he was admitted to the bar in 1959, he was a deputy commissioner of the state Department of Corporations, and was a trial lawyer for several firms in Los Angeles County.

Edward Butterworth, who was a partner in the now-defunct firm of Butterworth & Smith, remembers Hubbell worked there in the early 1960s, handling negligence cases. Hubbell also worked with an Inglewood firm for a time, was of-counsel to several other law firms, handling civil and criminal cases, and was a pro tem judge of the Los Angeles and South Bay Municipal Courts.

In 1970, Hubbell was appointed a commissioner of the Los Angeles Municipal Court; then-Gov. Edmund G. Brown Jr. named him a judge of that court nine years later. A court administrator explains Hubbell initially was sent to the arraignment court at Bauchet Street downtown, and then presided at misdemeanor jury trials for a while before he was assigned to hear both civil and criminal cases at the downtown courthouse.

Several years ago, Hubbell presided at a 14-month preliminary hearing for six defendants accused of defrauding the state Medi-Cal system of \$3.6 million. Attorneys in the state Attorney General's Medi-Cal Fraud Unit, who filed a 28-count complaint against the defendants, said the case may have been the largest fraud case of its type ever prosecuted in the United States.

Hubbell dismissed charges against three of the defendants for lack of evidence and ordered two others to stand trial for conspiracy and attempted grand theft. In April, 1983, the judge ordered Edward Rubin, a Beverly Hills physician, to stand trial on one count of conspiracy to commit grand theft and three counts of attempted grand theft.

Two years later, Hubbell presided at a less complex, two-day preliminary hearing for a film librarian accused of stealing 688 motion pictures, including valuable negatives of the late Judy Garland's performance in "A Star is Born" which had been missing from the studios for years and presumed lost.

Art Crimes

Hubbell ordered the librarian to stand trial on three counts each of grand

theft, appropriating lost property, and receiving stolen property for allegedly stealing the films from three studios where he formerly had been employed.

Since he has been elevated to the Superior Court, Hubbell has presided at a jury trial for a defendant accused of committing a similar crime. Attorneys recently completed a three-week trial before Hubbell of a defendant charged with stealing two paintings -one by Van Gogh, the other by Monet, from a private residence.

Four defendants pleaded guilty in the case, and a fifth defendant was tried on charges of grand theft, burglary, and receiving stolen property. The prosecutor in the case said Tuesday that jurors were continuing their deliberations.

Although he is known for his lack of emotion in handling this case and others, attorneys who work with Hubbell in Superior Court say he has two evident passions outside the courtroom. He obviously is devoted to his newly born daughter, whose pictures are on display in his chambers.

And, attorneys add, he is a staunch fan of the UCLA Bruin football team, and often the butt of jokes from attorneys who are fans of the rival USC Trojans.

``We have a good natured kidding about it," says an attorney assigned to his court.

- REBECCA KUZINS

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