

## Judicial Profile



**HON. RICHARD G. KOLOSTIAN**

Judge

Los Angeles County Superior Court

**PROFILE** The voir dire game may end soon. And Judge Richard G. Kolostian thinks it's about time.

Eliminating the lengthy process of lawyers' questioning jurors would greatly help reduce the crush of civil cases in the court, said Kolostian who favors the change though he concedes it is not a popular notion with attorneys.

"If you're talking about truth and justice, then voir dire is not necessary," he said. "If you're talking about ingratiating yourself with the jury, then voir dire is absolutely necessary. This other method just takes the game out of it."

Attorneys would still be able to question jurors, Kolostian said, but it would be indirect because the attorneys would submit questions for the judge to ask the jurors. This method is already used successfully in the federal courts and should be instituted in the state courts, said Kolostian, supervising judge of the Van Nuys branch of the Los Angeles Superior Court.

Kolostian, 57, is enthusiastic about court reform programs. He assumed the position of supervising judge in January and last year was named Superior Court Judge of the Year by the San Fernando Valley Criminal Bar Association. Attorneys say the judge is hard-working and knowledgeable and maintains a polite demeanor even in the face of rancorous debate.

### Fast Track

One of the court reforms that is imminent for all state courts is the Trial Court Delay Reduction Program or fast track the judge said.

"People say it's not fair to the lawyers but it's not the lawyer's case - it's the client's case," Kolostian said. "This fast track makes the lawyers do something with the case. We just have to change the culture of law, change the way law is practiced.

"We're talking about moving cases, but not taking people's rights away. We're talking about the court controlling the lawsuit - not the lawyers," he said.

Kolostian added that fast track has its limitations. Long, complex cases should not be placed on the program but still should be monitored closely by the court. But most of the civil cases filed, particularly those valued at less than \$30,000, work well under the expedited system, he said.

Kolostian, a former manager at General Telephone, said that fast track and

other successful case reduction programs all have a common element.

“It all comes down to one thing - management,” he stated.

### **Patient in Court**

James Gregory, a former deputy public defender now in private practice, said the judge is adamant about processing cases yet is still patient with attorneys and litigants. Gregory and other lawyers said the judge is open and willing to listen to attorneys, a quality that helped win him the award from the San Fernando Valley Criminal Bar Association.

“Bench and bar relations are very important to keeping the courts running smoothly and Kolostian has done everything he can to lend that support,” said Mary Hilyard, president of the bar association.

Prosecutors and defense attorneys respect Kolostian, who has a reputation for being sensitive and fair in trials said Gerald Fogelman, a former deputy district attorney now in private practice.

Kolostian is a Los Angeles native. After receiving his bachelor's degree from Loyola University, he spent two years in the Air Force. He joined General Telephone in 1957, intending to stay with the company in the personnel department. But he decided to pursue law instead, and spent the next five years taking classes at night after work.

In 1963, he received his law degree from Loyola Law School and accepted a position in the city attorney's office to get some trial experience quickly. The following year he moved to the appellate department.

Kolostian continued handling criminal appeals when he set up his own practice in 1968. In private practice he found himself attacking ordinances he had once defended as a deputy city attorney. He obtained a writ preventing the Beverly Hills Municipal Court from enforcing an ordinance restricting massage parlors.

“When that hit the papers, (massage parlors) opened up like mad all over town, I don't know if I'm exactly proud of that,” he later told the Daily Journal.

### **Bench Experience**

In 1969 he successfully argued against the ordinance before the California Supreme Court. Four years later he was again in public service as a commissioner on the Los Angeles Municipal Court. Then in 1980, Gov. Edmund G. Brown Jr. appointed Kolostian to the superior court, where he spent a year hearing juvenile matters before moving to the criminal master calendar.

As supervising judge in Van Nuys, Kolostian hears only short trials. His courtroom is brightly decorated with quilted pictures made by his wife, Joan. Outside the courtroom, the judge is a long-time scoutmaster with the Boy Scouts. His sons, John, 16, and Richard, 21, are also involved in the scouts.

Working with the scouts provided a needed balance for the judge when he sat on juvenile court. The organization also blends two elements - outdoors activities and leadership training - that Kolostian values highly.

“It may sound corny, but you need to give back into society,” he said.

**-SANDRA PARKER**

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