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Judicial Profile



HON. JULIUS A. LEETHAM

Judge

Los Angeles County Superior Court

PROFILE Los Angeles Superior Court Judge Julius Leetham is not someone to keep quiet when he holds a strong opinion. He is well known for his dry wit and his ability to use humor in making point.

When Presiding Judge David Eagleson told county supervisors in June that the courts expected problems implementing Proposition 8 - the Victims' Bill of Rights passed by voters in the June primary - Leetham then had no hesitation in disagreeing with his boss.

"So it passed and the courts haven't stopped in their tracks, pleas are being made, and there's no fighting in the streets," he told a reporter after the June meeting.

Six months later, the judge is still bothered by what he sees as an unrealistic attitude on the part of some members of the legal community toward the measure. "People who criticize Prop. 8 have no idea what might have occurred had Prop. 8 been overturned . . .," said Leetham, who was named to the superior court bench in 1969 by then-Gov Ronald Reagan. "We owe it to the public to make Proposition 8 work."

He worried that unless lawmakers respond to public concerns about crime, the public "is going to get involved in direct political action . . . They're losing their patience."

The judge says he shares the public's frustration with the legislature's inability to pass criminal law reforms. Referring to the many times he has testified before state legislative committees, Leetham said that "while they were always very courteous I never felt that any of my testimony had any effect on any bill."

From his position as supervising criminal judge of the superior court, Leetham has had the opportunity to deal with some of the hottest issues in criminal law in a county renowned for its spectacular cases. "This is something of a glory position," Leetham says.

Volunteered for Criminal Court

Leetham obviously enjoys his varied duties as chief criminal judge. Although his 13 years on the superior court place him on the seniority roster, Leetham volunteered for duty in the criminal court. As presiding judge, he hears special proceedings - such as extraditions and emergency proceedings - and handles matters pertaining to the grand jury.

"I've found it stimulating," Leetham said. "Criminal law was reasonably new to me as I had very few criminal cases in private practice."

By now, however, Leetham has had plenty of exposure to what he refers to as "blood-and-gore cases." He has presided over a number of highly-publicized trials, including the so-called Hawaiian Gardens homicide in 1973, where members of a youth gang were charged with murder in the shooting of a young girl on her front lawn.

Leetham incurred the wrath of the local news media when he issued a gag order that covered not only the parties in the case, but also reporters. The judge was concerned that virtually everyone connected with the case was being interviewed and re-interviewed before the trial had even begun.

"The constant attention by the media got to the point it was impossible that (potential) jurors could not be aware (of the publicity)," Leetham explained. As a result the trial, along with Leetham, was moved to San Mateo County, where the jury returned a verdict of second-degree murder.

In his role as supervising judge, Leetham has been in the public eye almost constantly for

the last year. Most recently, he ordered a free-lance journalist to turn over materials he had collected for an unpublished article on the death of comedian John Belushi.

He has also sent pornographic film actor John Holmes back to jail several times for Holmes' refusal to testify before the grand jury about the four Laurel Canyon murders; Holmes was acquitted of charges stemming from the July 1981 slayings, but admits being present when they were committed.

Leetham has told Holmes that since he faces no possibility of criminal prosecution, he has a duty to tell the grand jury what he knows. "Our system of justice is subverted if witnesses won't testify," Leetham told Holmes at a hearing in late August.

Sentencing Speeches

Leetham is well known for his sentencing speeches, which often seem tailored to the defendants. "Is this what you feel pride in?" Leetham sometimes asks defendants.

The judge says he tries to use simple and straightforward language without demeaning those who appear in front of him. "No one is going to stand still in a public courtroom for a moral lecture," Leetham explains. "A judge should know he's also talking to the people who are watching."

Lawyers who appear before Leetham hold differing views on the judge's abilities. Some do not share the enthusiasm of the courthouse press corps. "He's not a straight-forward man - that is, he will mislead an attorney as to what he is thinking in a case," complained one criminal defense lawyer. "He's stubborn . . . I wouldn't waive a jury in front of him."

But another defense lawyer disagrees with his colleague's assessment of Leetham. "He's a compassionate man," the lawyer said. "He's nobody's fool, but he's willing to give people a chance the first time around."

The division of opinion on Leetham is also present among prosecutors. One deputy district attorney who makes appearances in his court said the judge "listens courteously, responds precisely, and is very gentlemanly." The prosecutor said that Leetham's sentencing are effective, yet he never tries to "make his point by embarrassing anybody or showing off."

But a second prosecutor had harsh words for Leetham. "Judge Leetham didn't have the grasp of the law one would expect in his position. He abuses lawyers to make his point in court."

Another prosecutor familiar with Leetham's court said he "kind of enjoys hearing (the judge) talk. He has a nice vocabulary" and called Leetham a fair but tough sentencer. "If you violate probation, that's where he gets tough," the prosecutor explained.

"I take probation terribly seriously," Leetham explained. "Once they've had their little chat with me, I doubt if they'll come up again . . . you help respecting (defendants) for that."

'So Well Prepared'

Before he assumed the bench in 1969, Leetham had virtually no experience with criminal law. The judge's first assignment was to Long Beach, followed by a stint in Norwalk. Then he was assigned to the criminal court - as he puts it - "because I was so well prepared for it . . . Just shows you should never ask what you're prepared for."

Leetham attended Stanford University as an undergraduate, graduating in 1940. During World War II he went into the Army artillery and spent the duration of the war in the service.

Leetham received his law degree from Harvard in 1948. While Leetham is proud of his legal alma mater, he explains that he applied to Harvard because it was the only law school still taking applications in the fall of 1945. "I did not have what might be called the consuming dedication towards the profession that so many lawyers state they have had since they were three years old," he added.

Leetham's first legal job came in 1948 as a law clerk to Paul McCormick, presiding judge of the federal district court in Los Angeles. In 1950 he joined the Reconstruction Finance Corp., a predecessor to the Small Business Administration.

Leetham recalls that as a result of his first two jobs he had become an authority in admiralty law and secured transactions. "I entered the private practice of law and thereafter never had an admiralty case nor a security interest case until I was appointed to the bench in 1969," he said. "It rather shows the humor of life, you get prepared many times for things that never occur."

The judge began a private practice as a sole practitioner in 1952 as a civil trial lawyer. Leetham said he preferred practicing on his own or with younger associates. "These major firms aren't nearly as formidable as you might think," Leetham said. "There are individuals in these firms who are extremely able, but the problem with some firms is that they often get caught up in their own administrative process, so that litigating against them is often a great pleasure."

Leetham served as chairman of the Los Angeles County Republican Party for several years before being appointed to the bench. "I was for a period of years a chairman of one of the political parties the name of which I cannot now remember because I am so non-partisan," he said with a smile.

Leetham said his appointment to the bench "occurred in a somewhat elliptical fashion." In 1969 he was asked to call on Reagan, who offered him a seat on the Public Utilities Commission. Leetham told the governor he would rather be considered for the superior court. Shortly thereafter, Leetham recalls, "I received the customary phone call from the governor."

- JOSHUA MARQUIS

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