

THE PUSHER

Former criminal defense powerhouse Melissa Widdifield pushes defendants to make strides, and the state to support their progress.

By Evan George
Daily Journal Staff Writer

The defendant pushed himself up from the table during his hearing, walked right up to the bench, and leaned over to the clerk's desk.

In some courts this episode might have ended badly.

But in this case, Superior Court Judge Melissa N. Widdifield understood what was up.

"This guy was just addicted to water...he took my clerk's water," Widdifield said with a shrug. "Nobody freaked out."

That unflappable, empathetic attitude makes the 50-year-old judge well suited to L.A. County's Mental Health Court, called Department 95, where most defendants are developmentally disabled or suffer other serious mental illness. Having sat on drug courts as a commissioner — where a PCP user once threw the counsel table at her — Widdifield is known for being firm yet sensitive from the bench.

Sitting judges at the Mental Health Court, wedged on a sleepy stretch of San Fernando Road just outside of downtown L.A., sought out Widdifield for the assignment last year.

The department is an unusual hybrid between civil and criminal cases involving defendants who often can be plugged into services rather than prison. The calendar includes sexually violent predator cases. Other times, the court must decide if a person should be held in lock-down or assigned a conservator.

The catch is that with the state strapped for resources, advocates often turn to the judges for help pushing for costly mental health services.

"She has the heart and the soul and the compassion to do this kind of work and to deal with the kind of vulnerable population that we deal with every-

day," said William Edwards, a deputy public defender who handles mental health cases.

Prosecutors and private attorneys agreed that she leads a collaborative court.

Widdifield herself did time on the defense side for 12 years. She handled both criminal defense and civil rights cases first as an associate and then a partner at Lightfoot Vandeveld Sadovsky Medvene & Levine in Los Angeles.

It is a career path she plotted in her teens.

As she watched Sen. Sam J. Ervin, the straight talking North Carolina lawyer, whip out the Constitution during the tense Watergate hearings, a young Widdifield was in awe. She decided then to become an attorney so she could hold people to ethical standards.

After finishing high school in West L.A., she attended University of California Los Angeles with an eye on law school. "I had blinders on," Widdifield recalled.

She put herself through college by working evenings and weekends at a nearby hospital admitting patients. She graduated with a degree in political science.

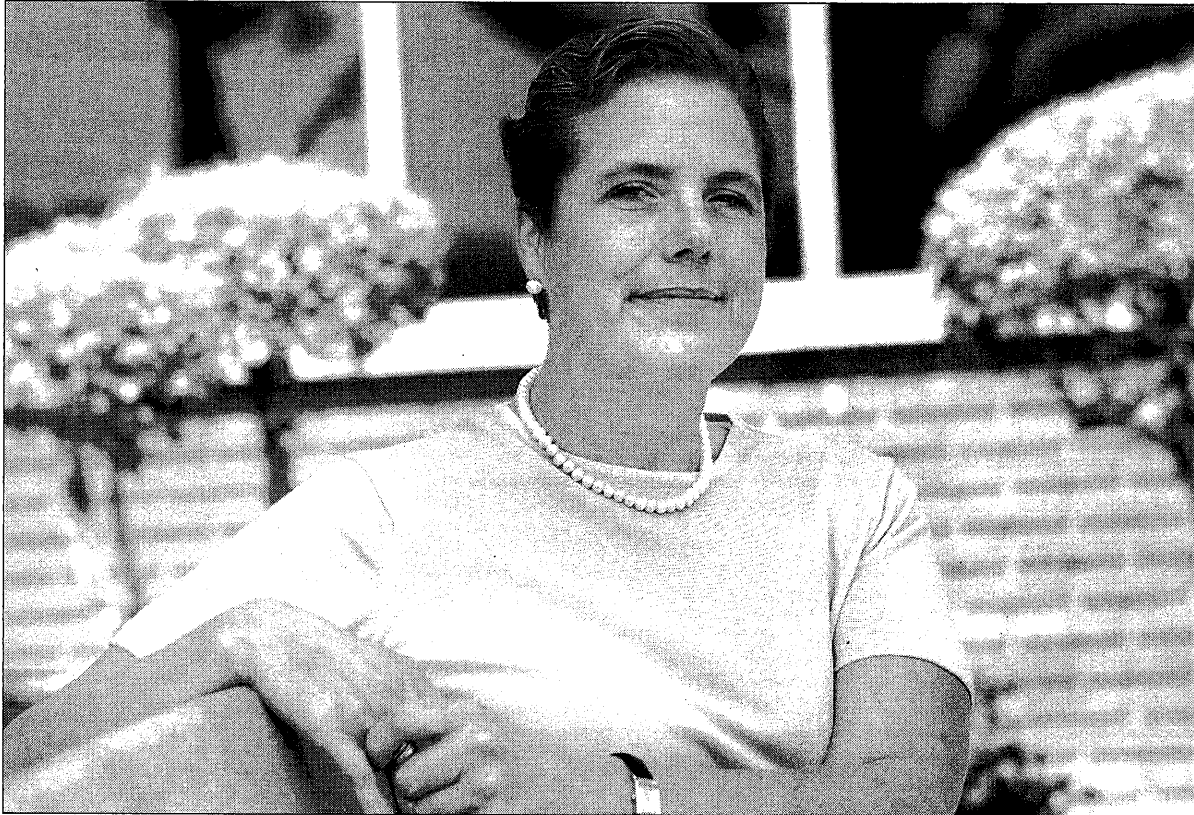
Loyola Law School rounded out her local education.

Born in New York, but raised in L.A. past the age of 4, she is "nearly as native as it gets," she said (though a slight Brooklyn accent adorns her vowels).

Widdifield worked three jobs to pay for law school, including as a clerk for the federal public defender's office. There, she described finding criminal defense law as "falling in love."

Her passion for the work came naturally, even as it made her friends uneasy.

One New Year's Eve when she was still a student, Widdifield got a collect



ROBERT LEVINS / Daily Journal

phone call from Terminal Island. Back then law students often argued parole hearings and her first client had tracked her down to thank her.

"Everybody I knew was so freaked out that this guy had gotten to me and I wasn't bothered remotely," Widdifield said grinning. "I remember thinking all I want to do is help these people."

Two years out of law school, Widdifield joined Lightfoot, which specialized in federal white-collar criminal defense. Except for a one-year stint clerking for U.S. District Court Judge Consuelo Marshall, she spent her whole career at the firm. She handled everything from police abuse to juvenile cases to sexual discrimination. Known as a sharp trial lawyer, she headed the Women Lawyers Association of Los Angeles.

She helped re-write the sexual discrimination policy for Cal-Poly Pomona when a professor was found molesting students.

Then, working as a juvenile court referee in her spare time unexpectedly transformed her career. She liked it so much she aimed to become a commissioner handling juvenile cases. She was named a commissioner in March 2002.

As it happened, she has yet to see a juvenile calendar — once Widdifield got on the bench, she was tapped to serve in the new drug court created by Proposition 36. There Widdifield handed down tough love to some of Hollywood's notorious backsliding

Melissa Widdifield

Superior Court
Los Angeles County

Career Highlights:
Appointed to Los Angeles Superior Court by Gov. Arnold Schwarzenegger, 2007; elected Commissioner by Superior Court judges, 2002; Partner, Lightfoot Vandavelde Sadowsky Medvene & Levine, 1989-2002.

Law School: Loyola Law School, 1987

Age: 50

celebrity addicts. Now, at the Mental Health Court, her task is to help those who often can't help themselves.

Convincing schizophrenic or bi-polar defendants to stay medicated can be a common task for the court. Once stable, many improve dramatically and stay out of jail and off the streets.

But going from advocate to judge has not been a breeze. (On her second day she called a lawyer in her court, "your honor.")

She said she has relied on other judge mentors for help, especially in learning the ropes of the unique mental health court system. "It was Greek to me," Widdifield said. "It is a completely different way at looking at the world."

Rather than the pointed back-and-forth of most trial courts, Department

95B operates in a spirit of teamwork, she said. The transition can be hard for private attorneys who come before her for the first time.

Cheryl Newman Gaines, a deputy district attorney in charge of sex crimes, said private defense attorneys who find themselves in Widdifield's court should come with humility and an open mind for the way things work there. Gaines said she is impressed with how Widdifield guides novices.

In many cases, her role is both to hold defendants accountable for their actions and to enable their recovery.

Such was the case with one defendant a couple months ago who had cycled in and out of jail and couldn't stay out of trouble. The man had lived in a group home in Northern California but fell out of the system when he came to Los Angeles.

Edwards, the public defender on the case, argued his client had been misdiagnosed and asked for state funding to hire an expert rather than have the court give up on him.

"He kept pushing and pushing and filed brief after brief," Widdifield said. "He really educated me, so I started pushing and we got him the services [his client] needed."

Edwards credited part of that success to the judge. "She understands these cases can be a lot of work," Edwards said.

Last week when that defendant came to Widdifield's court for a follow-up hearing, he brought a calendar showing his progress.

Beaming, he held up a sheet covered in green stickers for good behavior.

Here are some of Judge Widdifield's recent cases and the lawyers involved.

- *People v. Moore*, ZM013133, sexually violent predator
For the prosecution: Cheryl Newman Gaines, deputy district attorney
For the defense: Winston McKesson, Beverly Hills

- *People v. Torres*, ZM01400, 6500 petition
For the prosecution: Al Medina, deputy district attorney
For the defense: Ralph Tamers, deputy public defender

- *People v. Dreke*, ZM013265, commitment trial
For the prosecution: Al Medina, deputy district attorney
For the defense: Lori Ann Harris, deputy public defender

- *People v. Wier*, ZM005088, 6500 extension
For the prosecution: Patricia Redifer, deputy district attorney
For the defense: Douglas Turner, Encino
WIC 6500 Extension Trial

- *In Re: Escobar*, ZE033585, conservatorship
For the prosecution: County Counsel Cary Cahlin,
For the defense: Ramiro Jacinto, deputy public defender