

VERDICTS & SETTLEMENTS



MANDY JACKSON / Daily Journal

By Mandy Jackson
Daily Journal Staff Writer

William J. Howatt, a retired Superior Court judge, uses the same approach in mediations, arbitrations and private judging as he does in photography to frame a picture.

Howatt steps back, examines the scenery, then captures the image that puts his subject in the best light.

Attorneys who have worked with Howatt say he studies the materials presented for each assignment, listens thoroughly to both sides, and comes to a decision or helps the parties find a resolution that is fair for everyone involved.

"He is one of those rare judges who has a very human approach and also a passion for the rules of evidence and civil procedure," said Justine M. Phillips, an associate at Seltzer Caplan McMahon Vitek in San Diego.

Phillips said Howatt holds certain standards for lawyers and sees value in edu-

cating the parties and their attorneys about the laws that pertain to their case.

"It's almost like a class when you appear before him, because he'll give you cases and the root of the law," she said. "He knows why the rules are that way and the legislation and cases behind them."

Howatt's vast experience includes more than 27 years as a judge. He joined JAMS at the end of 2006 after his retirement from San Diego County Superior Court, where his tenure included time as the presiding judge as well as supervising judge of the family courts.

Prior to his 1987 appointment to Superior Court, Howatt, a former county prosecutor, was a municipal judge for eight years.

He earned his law degree from the University of San Diego School of Law in 1968, three years after graduating from the University of California, Berkeley, with a bachelor of arts degree in political science with an urban government focus.

Howatt has worked in criminal, civil and family law, but because he retired from

the Superior Court as a family law judge, many of the private trials, mediations and arbitrations he handles are in family law.

His time on the bench included several complicated and sometimes high-profile cases. During his first round in family court from 1987-90, Howatt heard the divorce proceedings of Betty and Daniel Broderick. Betty Broderick later was convicted of murdering her ex-husband and his new wife.

After a stint in civil court, Howatt returned to family law from 2003-06.

"When I was appointed to the Superior Court, I volunteered to go to family law, which is somewhat unheard of, especially from someone who didn't practice it as an attorney," Howatt said. "Family law is a fascinating area. It covers just about every other area of law out there."

Family law cases involve everything from tax to bankruptcy to property law as well as personal property issues and child and spousal support.

Howatt said he especially enjoys help-

Educating Lawyers on Rules and Law

ing parents achieve some sort of custody and visitation arrangement that's beneficial to their children and acknowledges their rights.

James A. Hennenhoefer, a Vista-based divorce lawyer, had cases in front of Howatt when he was a Superior Court judge and more recently as a private judge.

"What he brings to the private bench now is a lot of common sense, a tremendous amount of experience, and the ability to try a case in a fair, rational way," Hennenhoefer said. "He brings a grasp of the law and the ability to control the courtroom. He's fair and lets both sides say what they need to say."

Howatt said it is exciting to work on one matter at a time as a private judge and mediator. He has the time and the ability to listen, understand and empathize with the parties involved in each case.

"Working here at JAMS and one case at a time, I have an opportunity to really prepare for that case," Howatt said.

"I'll take the time in advance of the hearing or the mediation to really go through the materials that the parties have sent."

He likes to research every aspect of a matter so he's prepared to offer other cas-



William J. Howatt Jr.

JAMS
San Diego

Age: 67

Areas of specialty: Family law
and civil disputes

Rate: \$450 an hour

es that apply to the parties' situation. With that information at his fingertips, he can help the attorneys and their clients reach a resolution in mediation or feel comfortable with his decision in a private trial.

Lionel P. Hernholm Jr., a partner at Procopio Cory Hargreaves & Savitch in San Diego, has been before Howatt many times regarding family law matters when the judge was on the Superior Court and since he joined JAMS.

"On the bench I found him to be extremely thorough and keenly interested in reaching the right decision," Hernholm said. "He was not one of the shoot-from-the-hip types or impatient types we see from time to time."

When Howatt retired and moved to

JAMS, Hernholm's client and the opposing side agreed to remove their case from the court system and use Howatt as a private judge to resolve a complicated matter involving substantial assets.

"Since then, I've continued to take complicated cases to him because of his methodology," Hernholm said.

"He brings a level of patience and gravitas that clients appreciate. When he speaks they listen. He's very effective in bringing about settlements. He's good at moving them to where they need to be."

Here are some of the lawyers who have used Howatt as a mediator, arbitrator or private judge: James A. Hennenhoefer, Vista; Gordon D. Cruse, San Diego; Lionel P. Hernholm Jr., Procopio Cory Hargreaves & Savitch, San Diego; Michele B. Brown, Law Offices of Beatrice L. Snider, San Diego; Ronald W. Anteau, Kolodny & Anteau, Beverly Hills; Nicholas A. Leto Jr., Veltmann & Leto, San Diego; Harvey R. Levine, Levine & Miller, San Diego; Milan C. Dimich, San Diego, and Gerald L. McMahon, Justine M. Phillips and Jack R. Leer, Seltzer Caplan McMahon Vitek, San Diego