

Injury lawyer chosen as judge

Two seats still open in court

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Courts

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SANTA CRUZ — Acting quickly after the unexpected deaths of two county judges, the Governor's Office on Thursday announced the appointment of a new Santa Cruz County Superior Court judge — civil attorney Paul Burdick.

Burdick, 52, of Aptos will fill the vacancy created by the Jan. 28 death of Art Danner.

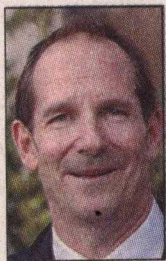
Burdick has practiced personal injury law for more than 20 years, currently at the Santa Cruz firm of Dunlap & Burdick on Jewell Street.

Two other judge-ships remain open, following the Nov. 27 death of Kathleen Akao and the pending retirement of Judge Tom Kelly.

Kelly is staying on until a replacement is appointed. Two interim judges have been filling in.

Burdick is a Democrat. But he says he is "apolitical," according to the governor's appointments secretary, John Davies, a San Diego Republican lawyer who interviewed Burdick on Monday.

Burdick said Davies called him about



BURDICK

Fills vacancy left by Judge Art Danner's death

Judge

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11 a.m. Thursday with the news and said he was surprised at how fast it all happened.

"I'm flabbergasted and honored," he said. "It's thrilling and terrifying all at the same time."

Burdick is a divorced father of two teens. He enjoys competitive tennis and gardening.

Burdick was preparing for a mock trial competition among area high school students Thursday, and laughed, saying it was ironic that his first post-appointment donning of a judge's robe will be in that capacity.

It was unclear Thursday when Burdick would start, or what cases he would handle.

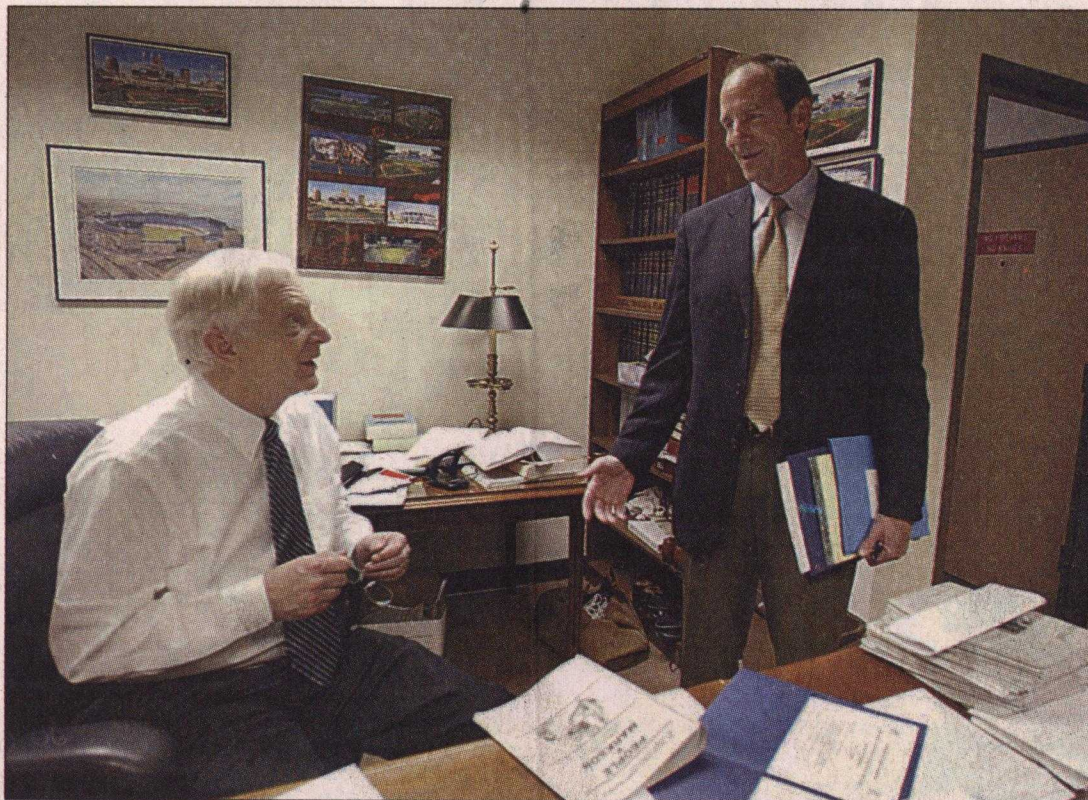
But Presiding Judge Heather Morse said his appointment brought much-needed good news to a courthouse and legal community shocked by the deaths of Danner and Akao, both popular judges active in the community.

Morse said she had been pushing the Governor's Office to make a quick appointment.

"We're thrilled," she said. "He will be a great addition to our bench."

Many were hoping the governor would appoint a woman to the bench, as Morse is now the only woman of the 10 judges. (The court does include a woman referee, Kim E. Baskett, and a woman commissioner, Jana Kast-Davids).

"We are looking forward to some diversity in the two upcoming appointments, which I'm sure is being considered by the Governor's Office," Morse said. "I have been urging them to make that



Dan Coyro/Sentinel

Newly appointed judge Paul Burdick, at right, has a word with Judge Robert Attack on Thursday evening in the judge's chambers.

foremost, after competence. We are a small bench in a diverse community."

Both Danner and Akao were up for re-election this year; and Morse said she believed Danner's spot was filled first because the filing period for his seat was open when he died. The governor may also be holding Akao's spot open to appoint either a woman and a minority, she said.

At last count, 16 people, including nine women, have applied for the vacancies on the court.

Burdick, prosecutor Paul

Marigonda and Commissioner Irwin Joseph applied earlier than most, before the death of Danner or Akao, in anticipation of Kelly's retirement.

Burdick would face an election in 2008, if challenged.

At the start of his legal career in 1979, Burdick worked two years in criminal law for the firm Britton & Jackson, which formerly held the contract as the county's public defender firm. At that time, he said, he was mentored by well-known criminal attorneys Jim Jackson and the late

Peter Chang.

Burdick has worked as a fill-in judge at the courthouse since 1990, handling civil settlement conferences, small claims matters and the traffic calendar.

Jerry Christensen of Biggam, Christensen & Minsloff, the county's contract public defender firm, said he is hopeful Burdick's criminal defense experience, while limited, will give him a "good perspective on how dear our Constitutional rights are."

Aside from that, Burdick is experienced and likeable, he said.

"He's a very smart, friendly type of person who will add a great deal to our bench," Christensen said. "And from what I hear, he was supported by both district attorneys and defense attorneys" in a peer review process for judicial appointments.

It's unusual in the county to have a personal injury attorney appointed to the bench, Christensen acknowledged.

Burdick, according to local defense attorney Paul Meltzer, did try one criminal case in the early '80s. Alongside Meltzer, Burdick co-defended a man charged with robbery.

"He's a fabulous choice (for the Superior Court). He's well-rounded, smart and decisive," Meltzer said.

Burdick earned a law degree from the University of Santa Clara in 1979 and a bachelor's degree from UC Santa Cruz in 1976.

He will earn \$149,160 a year.

Burdick said it will be "bittersweet" to leave his longtime partner, Mike Dunlap, his associate Laura Walther and his clients.

Burdick is on the board of Jacob's Heart Children's Cancer Association and busy with his children's sporting and school events, he said.

Professionally, he is a member of the Santa Cruz County Bar Association, Consumer Attorneys of America, Santa Cruz Trial Lawyers Association and American Trial Lawyers Association. He is listed as a "preeminent lawyer" in the Martindale-Hubble Bar Register and was selected last year by Law & Politics and San Francisco magazines as a "Northern California Super Lawyer."

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