

JUDGE KATHLEEN AKAO: 1948-2005

Akao recalled as pioneering jurist

^{Bio-A} Santa Cruz County Superior Court veteran dies unexpectedly at age 57 ¹¹⁻²⁹⁻⁰⁵



AKAO
Died Sunday
at age 57

By **BRIAN SEALS**
SENTINEL STAFF WRITER

SANTA CRUZ — Judge Kathleen Akao was a woman of firsts.

She stunned area political circles by ousting an incumbent county Superior Court judge in 1994, a rarity in judicial elections. She was the county's first judge of Asian American descent,

and the first woman to serve as the county's presiding judge.

But colleagues say her concern for those who appeared before her will be what she is remembered for.

Akao died unexpectedly Sunday. She was 57.

The cause of her death was not immediately known. Akao died at Dominican Hospital

where she had gone for tests that day, said son Kris Akao. He said his mother had no known illnesses, but had been having problems with her heart rate the past couple months.

Attorneys say Akao, known for her special interests in family law and drug court, was admired for how she handled juvenile and family cases in which custody matters are determined.

"I think that's where she left her mark," said Public Defender Jerry Christensen. "When she dealt with juveniles, she really took it to heart. She was really, really caring. Every case got a strong individual hearing."

During her 11 years as judge, she showed a willingness to try new approaches.

She was a leading force in establishing a drug

See **AKAO** on **PAGE A10**

Akao

Continued from Page A1

court here, said Judge Art Danner.

Santa Cruz County's drug court, which began in January 1999, combines treatment programs with penalties.

"She treated attorneys and clients with a great deal of respect and made them feel comfortable in her courtroom," said Danner, who also worked with her during his tenure as district attorney. "She was dedicated to giving everyone access to the courts, and had a real empathy for victims of violence."

She held people accountable, but also tried to find ways to help them rehabilitate themselves, said current District Attorney Bob Lee.

"She wanted them to learn from their mistakes and to become a better person," Lee said, standing in Akao's chambers where flowers dropped off by co-workers made a makeshift memorial Tuesday.

Akao was Superior Court's presiding judge, which means that besides hearing cases, she was responsible for managing day-to-day administrative affairs of the court.

Aside from the daily adjudicating, Akao devoted time to the county's Teen Peer Court, in which juveniles who have admitted an offense may have penalties determined by a group of like-age peers.

"Judge Akao's presence on the court will truly be missed for her leadership, her dedication to the operation of the court to promote access to justice, and her desire to serve the children, families and individuals of Santa Cruz County," Judge Heather Morse said in a written statement. "However, as bench officers, we will miss her caring support as our colleague and friend most of all."

Her election in 1994 was hailed for adding diversity to a profession dominated by middle-aged white men.

The post had been vacant, and then-Gov. Pete Wilson passed over Akao, a Democrat, to appoint Republican George Kovacevich.

Akao decided to run for the office and defeated the incumbent that year, building a political base of divergent backers



Kathleen Akao is applauded by fellow judges and commissioners, from left, Heather Morse, Thomas Kelly, Christopher Cottle, John Salazar and Michael Barton during her investiture as a Santa Cruz County Superior Court judge in December 1994.

Shmuel Thaler/
Sentinel file

Kathleen Akao

BORN: Sept. 28, 1948.

DIED: Nov. 27, 2005.

HOME: Santa Cruz.

OCCUPATION: Superior Court judge.

EDUCATION: Bachelor's degree, San Jose State University, 1971; law degree, Santa Clara University, 1981.

SURVIVORS: Son Kris Akao; father Toki Katayama; brothers Danny and Bobby Katayama.

that included then-Republican Sheriff Al Noren, known for his conservatism, and then-Supervisor Fred Keeley, a liberal Democrat. She won, and after Kovacevich left the post ahead of schedule, was appointed to the bench two months before she would have assumed the elected post.

She was re-elected to a second six-year

term in 2000, and would have been up for re-election again 2006.

Gov. Arnold Schwarzenegger now has the prerogative of appointing someone to fill the post. That appointee would have to stand for election next year.

Cases before Akao have garnered headlines over the years.

She filed contempt of court charges against former Sentinel reporter Robin Musitelli in 1999 when a story about a baby girl taken into state custody included information the court deemed confidential. The charges were withdrawn when Akao found the newspaper was not aware of the standing court order prohibiting disclosure of information stemming from Child Protective Services cases.

In 1995, Akao removed herself from a murder case when the county Commission on Domestic Violence issued a press release about the homicide, citing it as an example of why the commission's

work was important. The letterhead included a list of commissioners — of whom Akao was one, though she said she had no knowledge of the release before it was issued — and the judge withdrew from the case to avoid any perception of bias.

Akao earned her bachelor's degree from San Jose State University. She earned a law degree from Santa Clara University in 1981 and went into private practice in San Jose after graduating before working as a deputy public defender in Santa Clara County from 1985 to 1986.

She then went to work for Santa Cruz County in the County Counsel's Office from 1986 to 1994.

Funeral arrangements were still being made Monday, Kris Akao said.

Akao's husband died in 1991 at age 46.

Contact Brian Seals at
bseals@santacruzsentinel.com.