

Retiring judge known for fairness

Colleagues say Kelsay brought dignity and heart to the bench

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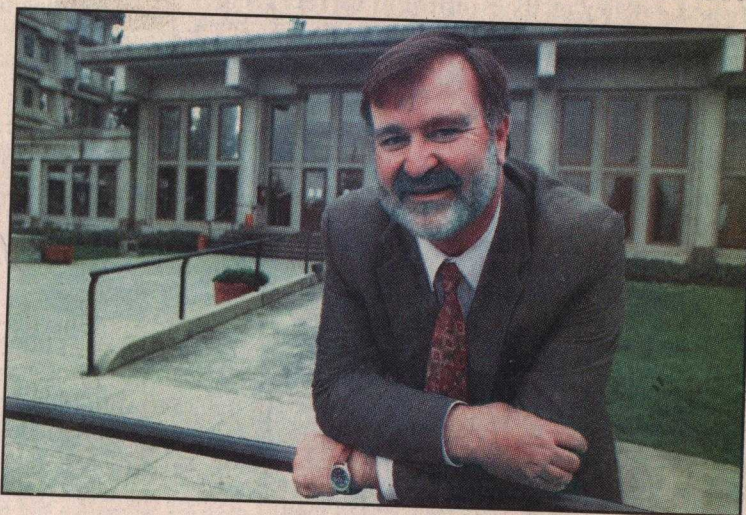
From the single-mother struggling to support her children to the drug addict who stole to support his habit, everyone who entered Judge William Kelsay's courtroom was precious.

He would tell them that. Sometimes it took a few lines, but more often than not, it took a whole sermon.

Kelsay rarely minced his words while on the bench. The man himself admits he has a big ego.

But colleagues say he also has a big heart. They say they will miss him, his leadership, his no-holds-barred comments in and outside of the courtroom.

Kelsay, 57, retired in December after 22 years on the bench in Santa Cruz County. He stayed on as a visiting judge through



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Judge Bill Kelsay plans to stay active in retirement as a mediator and private judge.

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January and helped train new Judge Art Danner. But from now on, Kelsay will return to the local courthouse only when he will be specially called in to temporarily fill in for a judge or to handle certain cases.

"I think there's going to be a hole now," said criminal defense lawyer Steve Wright. "A lot of people have said that Judge Kelsay really made a difference in their lives."

Kelsay, the son of a Stanislaus County sheriff, joined the Santa Cruz County District Attorney's Office in 1969 after graduating from Hastings School of Law in San Francisco. Gov. Jerry Brown appointed Kelsay, a Democrat, to a municipal judgeship in 1977.

In 1985, the same year he married Claire Biancalana, a dean at Cabrillo College, Kelsay was elevated to the Superior Court by Republican Gov. George Deukmejian.

During his judgeship, Kelsay handled family law, juvenile court, misdemeanors, felonies and civil cases. He was presiding judge for many of those years, and was instrumental in merging the Municipal and Superior Courts and developing family law programs, including one of the first divorce mediation workshops in the nation.

On the bench, he became known for his easy manner, his sense of humor, his fairness and the dignity with which he treats those who come before him. He was not afraid of being blunt with them either.

At a recent retirement dinner for Kelsay, colleagues recalled how the judge would put legal jargon in plain terms for the public.

Reading from a court transcript, state Justice Chris Cottle, who was the county's district attorney and Kelsay's boss in the early 1970s, said

Kelsay once told a defendant that pleading no contest was the "chicken way of saying I'm guilty" or "an honorable way of saying, 'Yeah, I did it. I'm guilty as hell.'"

Reading from another transcript, Cottle said Kelsay told the defendants, "Neither of you are stupid, but your actions were not very bright ... and very dumb."

Kelsay, colleagues said, was known as a compassionate judge who gave many people the opportunity to change their lives. "He's caring. He listens. He feels their pain," Cottle said.

"Some took issue with his liberal attitude," said sheriff's Deputy Kim Allyn. "But it was a genuine attempt at rehabilitation rather than throwing the book at them."

Kelsay was honored for his fairness in 1992 when he won the Outstanding Jurist Award from the 27,000-member National Association of Criminal Defense Lawyers.

But politics prevented him from receiving it: local prosecutors upset at the "inflammatory publicity" surrounding the national award threatened to resign from the local bar association if they presented Kelsay with it.

Kelsay wasn't offended. He was amused.

"It was such a funny, silly issue," Kelsay said during a recent interview. "It was more fun, as it turned out, than if I had received it."

Kelsay finally got the award this year during the local bar association retirement dinner for him. Peter Chang, the county's District Attorney during that brouhaha, handed it to Kelsay, culminating an evening of accolades and jokes about the retired judge.

"I'm leaving with no one wanting me to leave," Kelsay said. "That's nice and flattering ... I have no regrets. None at all."

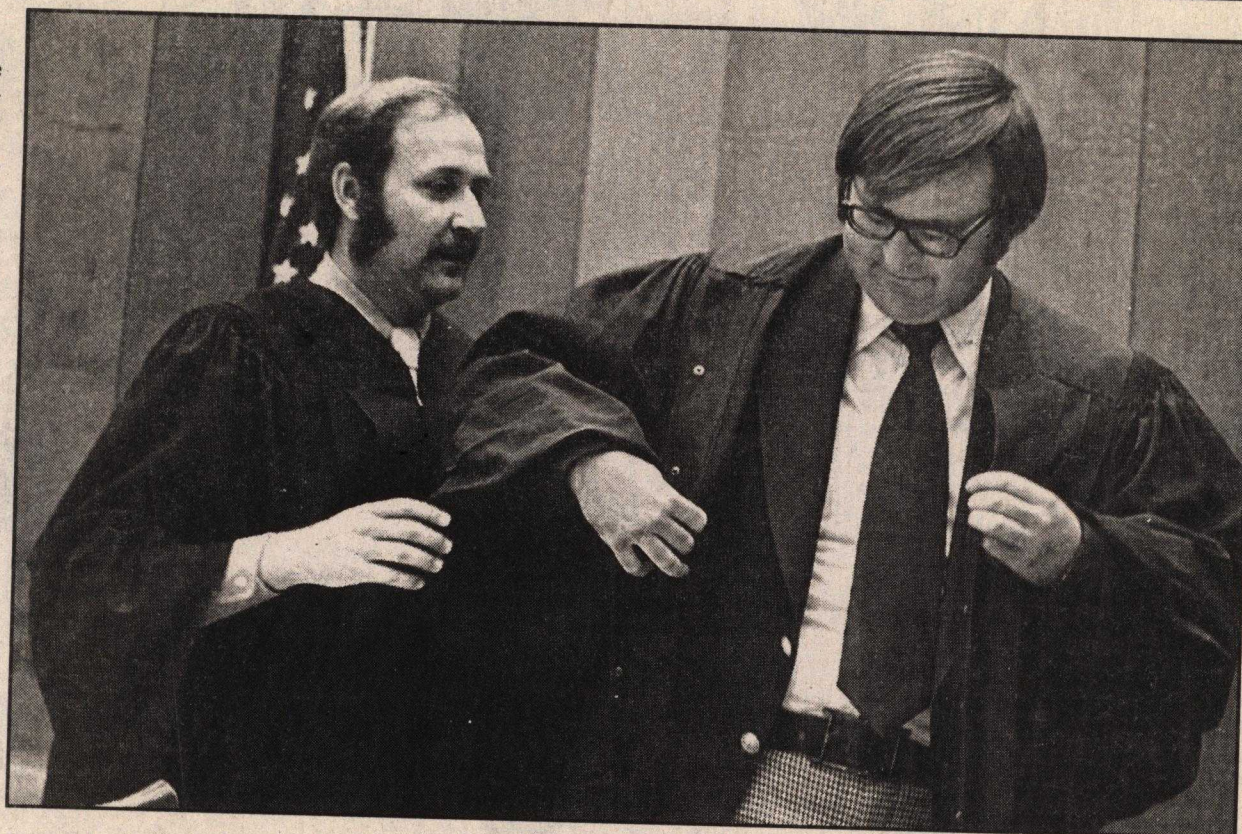
With his retirement, Kelsay said, he is "looking forward to change" and days that are not defined by meetings and 8-to-5 work hours. But he said he will miss the people he has worked with during his 35-year career in law.

He'll also miss judging.

"Judging is a wonderful thing," Kelsay said. "... I've had the opportunity to do things where I've touched somebody's life, and helped it. If I've done that, it makes me feel good. It's horribly sappy, but that's the truth."

Kelsay is an avid fisherman and backpacker, and enjoys gardening as well. But Kelsay said he's not ready to give up on work entirely for a fishing pole.

He plans to do some work as a private judge and a mediator.



Bill Lovejoy/Sentinel file

Superior Court Judge Rollie Hall, who died in 1987, helps Bill Kelsay into his robes for the first time in March 1977.