Timothy Reardon: Timothy Reardon, R-E-A-R-D-O-N, Associate Justice, First District, Court of Appeal.

Daniel Hanlon: Retired Presiding Justice Daniel M. Hanlon, H-A-N-L-O-N.

Timothy Reardon: Today's date is June 7, 2007, and this interview is being conducted as part of the Appellate Court Legacy Project, the purpose of which is to create an oral history of the appellate courts in California through a series of interviews of retired justices who have served on our court. I am Tim Reardon, an Associate Justice of the First District Court of Appeal, and we are honored to have with us today the Honorable Daniel Mike Hanlon, who served in the First District from 1995 to 2000. Welcome, Mike, and thank you for participating in this Legacy Project.

Daniel Hanlon: Thanks, Tim.

Timothy Reardon: I should mention it is a particular pleasure to be interviewing you because we are longtime friends and neighbors from San Francisco. You as well were the presiding judge of the San Francisco Superior Court when I was on the court, and you were also presiding justice of Division Four of the Court of Appeal, which is the division in which I have served and now serve. So, again, welcome.

You are a native San Franciscan, but I understand as a youth or teenager you traveled and moved to San Jose. Is that correct?

Daniel Hanlon: Well, my parents were here in San Francisco and later on the Peninsula; but yes, I went to Bellarmine because my parents thought I was headed for perdition and needed structure in my life. So I went down to Bellarmine and boarded and probably turned my life around and became . . . And I got great grades at Bellarmine, because you had to; and I had a wonderful experience at Bellarmine.

Timothy Reardon: I know there is a number of other justices who are Bellarmine grads.

Daniel Hanlon: Justice Poché, who served with us in Division Four, was a Bellarmine grad. Justice Premo of the Six District is a Bellarmine grad. So there's a number of us around.

Timothy Reardon: Ming Chin, I think, as well.

Daniel Hanlon: Ming Chin of the Supreme Court, a few years behind me.

Timothy Reardon: Now, when you graduated from Bellarmine, you entered the University of San Francisco and you received your B.A. degree in 1962 and then your J.D. degree from USF Law School. Maybe you can explain how that all worked?

Daniel Hanlon: You mean, two years later I got my J.D. degree. Yes, after high school I entered the Society of Jesus, the Jesuits, and I was in the Jesuits for a little over four years. When I came out I went to undergraduate school at the University of San Francisco. I really, after one year there, I had all but about six to eight credits remaining; and Father Smythe, the dean of the liberal arts college, allowed me to go to night school at the undergraduate school in my first year of law school during the day, and Dean Walsh of the law school allowed me to do that. So for my first year I was in a dark tunnel, but I got through it. *[laughing]*

Timothy Reardon: *[Laughing]* Per se, you were a full-time student.

Daniel Hanlon: Exactly.

Timothy Reardon: What, Mike, influenced you to seek a career in the law?

Daniel Hanlon: Well, when I was finishing up at USF with my background in the Jesuits, my degree was in philosophy, because I had so many credits in philosophy, just didn't have to worry about it. But there's not much you can do with a degree in philosophy unless you're going to teach it. And so I had had a great-uncle who had been a judge in Santa Clara County, my mother's uncle. And I had a great-uncle here in San Francisco, my father's uncle, who had been an outstanding lawyer, and I used to hear about him. I read . . . there's a scrapbook we have of all my uncle's cases here in San Francisco; he was a high-profile lawyer. And so I got inspired and decided to do that and my father encouraged me.

Timothy Reardon: Great, so you had that family connection with the law.

Daniel Hanlon: Exactly.

Timothy Reardon: Now you were . . . so you graduated and got your J.D. degree in '64, admitted to practice in '65, but your legal career was interrupted by the Vietnam War. Could you tell us a little bit about your military service?

(00:04:48)

Daniel Hanlon: Yes, I was getting drafted out of law school. And in those years, because I was older, having been in the seminary, so they thought I'd better get my military service in, so I went in the Marine Reserves. I didn't

want to do ROTC—I was a little ahead of that program—and I got my commission in the Marine Corps while I was in law school. I was spending my summers back in Quantico, and then right after I finished law school I was required to go on active duty for three years. I first went on active duty . . . we hadn't really . . . that was 1964; war hadn't stepped up. It wasn't until August of '65 that I was back then at Newport, Rhode Island, Naval Justice School; President Johnson then began stepping up the war.

And the day after he made that fateful announcement that we were sending the Third Marine Division to the Tonkin Gulf and the First Marine Division Reserve, I was sent to the First Marine Division. So I served as a legal officer first to a general who had a reinforced regiment, the Fifth Marine Regiment; I was his legal officer. And then after I was in the country for about three months, I went back and was with division headquarters doing, basically prosecuting, criminal cases.

Timothy Reardon: Did you defend as well or—

Daniel Hanlon: I did some defense. I started off with defense. What happens is, once you get your teeth cut, then they move you over to the prosecution side so the prosecutors are experienced. Interesting way the military justice system works. *[laughing]*

Timothy Reardon: Well, having served in the Marines and being involved in the legal end of the thing, did you feel this service in the Marines in any way helped in the development of your own professional career?

Daniel Hanlon: Oh, it does. I mean there's nothing . . . I have to tell you that going to Vietnam and being trained by the Marines, you develop a lot of self-discipline, you develop leadership qualities that . . . they emphasize that. We had a unique position in those early days. I prosecuted a capital case—actually 14 defendants within the period of five weeks—for which I was nominated for the Navy Commendation Medal, because we had to go into the bush and get the witnesses and so on. It was a very terrible case of multiple rapes and killings, almost like a My Lai incident. So that did help form my career.

Timothy Reardon: How old were you then?

Daniel Hanlon: Let's see. I was about 27. When I came back from Vietnam I celebrated my 30th birthday, I remember that.

Timothy Reardon: All right.

Daniel Hanlon: I thought, "I'm 30 and alive." *[laughing]*

Timothy Reardon: You were pretty young, handling some heavy cases, obviously. Now, upon your discharge from the military you joined the prestigious law firm of Hoberg, Finger, et al. What type of practice did that firm have?

Daniel Hanlon: That was mostly a plaintiff's personal injury practice, so it was all civil trial work of cases. And they put me right into it. And Ingemar Hoberg was an outstanding trial lawyer. John Finger at that time . . . I was hired because he was president of the State Bar at that time and they needed some other people in the office. So they hired two of us, Hank Carlson and myself, in the same year to sort of take the void where John was spending most of his time at the State Bar office.

Timothy Reardon: So you got quite a little bit of litigation experience with that firm.

Daniel Hanlon: I did. In those days you could get into trial and do superior court cases much quicker than the young lawyers can today. I tried, I don't know, 25 cases to verdict in the years I was there.

Timothy Reardon: Yeah, that's a lot different than nowadays, particularly with the bigger firms. Now, your judicial career commenced with your appointment by Governor Reagan to the San Francisco Municipal Court in 1972. What prompted you to seek a career as a judge? You were still pretty young at this time.

Daniel Hanlon: I was 35 years old and one of the younger appointments. John Finger had a lot to do with it. When John Finger was president of the State Bar, he carried the program that Ronald Reagan wanted, which was called the Missouri plan, for the selection of judges. And the small committees in every county that would select the judges and make the recommendation to the Governor . . . It didn't fly and the voters didn't buy it and the Legislature didn't buy it. But Reagan appreciated what John Finger had done for him and offered him a judicial post. And John was at a point where he had young children but was an older gentleman, and so Ronald Reagan said to him, "Well, I'm looking for young people to put on the bench that I feel will have a full career."

So this is an interesting story. I don't know; it'll probably be cut on the cutting-room floor. *[laughing]*

(00:10:03)

Timothy Reardon: Not at all.

Daniel Hanlon: We used to play liar's dice from time to time in a bar downstairs called Al Pollack's Main Stem; it was below our law office.

Timothy Reardon: I remember Al Pollack.

Daniel Hanlon: And so one night I lost a huge dice game. We were playing Longshoreman's Dice. I think there were seven of us involved. And I had this huge bill and John Finger said to me after that game, "Hey, you know, you're a very bad liar, but you might make a good judge. Why don't you see me in the morning?" So that was in April or May of 1972. And so we had a discussion and he said, "Let me tell you, the brass ring only comes around once." And he said, "I can put your name in to the Governor and see what happens." In those days, by the way, there was no JNE Commission. He was using the Missouri plan of his own making.

Ira Brown was the chair of the committee here, Judge Ira Brown, in those years. So one day I get a call from Judge Brown to come out to his chambers. I thought—I did a lot of law and motion—I was trying to think of what I had done wrong.

And Brown brings me out and I sit down and he says, "Why do you want to leave the Hoberg firm?" I said, "I don't want to leave the Hoberg firm." He said, "Well then, why did you apply for a judgeship?" I said, "What?" *[laughing]* You know, that was Brown's take on things.

Timothy Reardon: Yeah.

Daniel Hanlon: Yeah. So anyway, then we had to explain it, and by September I was appointed.

Timothy Reardon: So the Governor at that time was Jerry Brown?

Daniel Hanlon: No, Ronald Reagan.

Timothy Reardon: Excuse me, Ronald Reagan, right. And you served on the muni court from '72 to '78.

Daniel Hanlon: Right, February '78.

Timothy Reardon: Did you find that to be a good experience?

Daniel Hanlon: It is a good experience. I became a . . . as you and I have talked about this, I always thought that it was a

great preparation for superior court, that if more judges served a couple of years or a year in the municipal court and went to the superior court they'd have a huge understanding of people and what goes on, and it helps you to make sure you have your temperament in line. And then I always believed in that all the way through.

Timothy Reardon: Yeah, I happen to agree with you on that. And Mike, moving to Jerry Brown, that was in 1978, then, that you got elevated to the superior court.

Daniel Hanlon: Yes, I took Judge Joe Karesh's place on the superior court. He went up, drove his resignation and retirement, his request for retirement, the day before his 70th birthday. In those days if you didn't retire by your 70th birthday you'd have that big financial slap. He had young children. So he drove it up.

And it was interesting, because here I am a Republican appointed by Ronald Reagan, and there's not any names. Now there's a Jenny Commission; I had been through the Jenny Commission, but not many other folks from the Democrat side had. And so when Tony Kline was the appointments secretary—he told the story, I think, at my confirmation hearing—but he was not in favor of this guy. *[laughing]* He put me at the bottom of the pack and Jerry Brown pulled it out and he says, is this the guy who was in the seminary with him. Kline said, "Well, let me look." He says, "Yeah, it was." But he appointed me. And as a matter of fact on my commission by Jerry Brown, we were in the Jesuits—he was in the seminary behind me—and you had to put at the top of papers, as you recall, the letters AMDG, Ad Majorem Dei Gloriam. Well, I have AMDG on the bottom of my commission, put there by the Governor. *[laughing]*

Timothy Reardon: *[Laughing]* I was going to ask you to tell that story. It's a good one.

You served, according to my count, about 17 years on the superior court, and during that time, obviously, you handled a lot of different assignments. I think I know which one you may have enjoyed the most, but let me ask you that. You had many assignments; were there some favorites?

Daniel Hanlon: Yes, when I had been in criminal superior court for almost five years, I think, when there was a lot going on at the juvenile court and Ira Brown asked me to go out and be supervising judge at juvenile court. I didn't know much about it, but I went out there and it got my interest. I have three children. I realized what some of

the problems were and I got into it. At that time the law was just changing on the dependency statutes and the states had to rev up to keep federal funds coming in for AFDC. So I got into it and I really enjoyed it. And I think if there is a contribution, I hope that it was the work I put in at the juvenile court, getting children straightened out.

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We had grants coming in, help get education; we did a GED program, which . . . So many of our kids weren't going to graduate from high school, so we put a GED program in at Log Cabin Ranch; we sort of beefed up the program at Log Cabin Ranch, made it a . . . put vocational programs in there, counselors in there, and we even had employment specialists who looked for jobs to place these kids. And so it was a very satisfying job.

Timothy Reardon: I think it's well documented that you did a tremendous job at the juvenile hall, in being the supervising judge of the juvenile court; and I know you take some pride and I also know that you enjoyed your service out there.

Daniel Hanlon: I did.

Timothy Reardon: It was also convenient because I think you lived a few blocks away.

Daniel Hanlon: And I could walk to work, but I didn't want the kids to follow me home. *[laughing]*

Timothy Reardon: *[Laughing]* You were presiding judge on the superior court. You handled complex litigation. You handled many, many settlements. And in terms of other contributions besides the juvenile court, were there some assignments that you also enjoyed? I know you did complex litigation.

Daniel Hanlon: I did. I had two big groups of cases that I had to work on. One was the DES, diethylstilbestrol cases. And getting those resolved, which we finally did, after I held a market share trial . . . and that was a difficult trial. I had a very good law clerk, and so I got a matrix out of the market share for diethylstilbestrol. No other judge wanted to touch it. And so I understand through the attorneys that it was introduced and accepted in not only New York, but Los Angeles and somewhere else in the Midwest; that that market-share figures were accepted. And that was sort of a compliment and an achievement.

The other cases that were very difficult that I worked on because there was very little law . . . and that was the AIDS blood bank cases, and a whole series of cases that we had. And how are blood banks going to be held liable? What was their standard on this issue? And so working through that, we had again not much guidance, because there hadn't been any cases before. We were right here in the middle of it. We had all these people that through no fault of their own had acquired AIDS because they had a blood transfusion—I mean, from nuns to young people who had just come in in life. And it was terrible.

Timothy Reardon: Tough cases; no question about it. I noticed in one of the profiles I was reviewing, Marilyn Chaber had some very nice things to say about you. Did you do some of this tobacco litigation as well?

Daniel Hanlon: No, I did . . . at that time she was doing asbestos, asbestos litigation, and I tried quite a few of her cases—office cases, I guess.

Timothy Reardon: Well, you had a long, distinguished career on the superior court, no question about it. Again, 17 years as a trial judge, and then in 1995 you were elevated to the First District Court of Appeal, Division Four, by Governor Wilson. And so you had a Republican Governor, a Democratic Governor, and now a Republican Governor again. So did you find the transition from trial judge, which you had been for many, many years, to the Court of Appeal an easy transition?

Daniel Hanlon: It was relatively easy. I actually . . . I think you'll recall that the first month over here, when I got the appointment, I had just started the Syntex insurance litigation case. I'd held one trial for the insurance policies, a month long, and now this was going to be two months of liability for Syntex's insurers. And I think I was about three weeks into the case when I was appointed, and they had already set the date for the Commission on Judicial Appointments hearing, and of course that's automatic; if you pass that, then you're going to get sworn that day. So I had to contact the Chief and say, well, if that happens, I think the Chief better appoint me back to the superior court so that I can finish that trial. I mean, I had too much invested in it.

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I always remember, one of the attorneys, it was the plaintiff's attorney for Syntex, a fellow by the name of Barry Levin, who has been the managing partner for the

last few years of Heller Ehrman; but at that time, he was one of their lead trial attorneys. That Monday morning I called them in, and they obviously had read it in the paper, even in the legal paper, the *Chronicle*, and I said that I had been appointed. And I could look in his eyes and he thought, "I hope he just doesn't say, 'There's a mistrial and I'll see you guys later.' " *[laughing]* But I didn't.

So the Chief appointed me back. And of course our presiding justice here in Division Four was Carl Anderson, who kept things moving. So I tried that case from 8:30 in the morning till 1:30, and then I took a quick lunch and I came over to the Court of Appeal from 2:00 to 6:00 and worked on the cases that Anderson wanted to have done by the end of the month. *[laughing]*

Timothy Reardon: *[Laughing]* Yeah, I remember that very well. Justice Anderson, who's a man, a very efficient-type person, kept you busy, certainly, here, as well as in the superior court with the trial going on.

So now when Justice Anderson retired, then you were elevated to the position of presiding justice of Division Four, in which you served until your retirement in 2000. And you had been a presiding judge in the trial courts, so I assume it was kind of an easy transition to the—

Daniel Hanlon: And this was . . . as you know, this is a wonderful division, and the makeup of our personnel . . . then Justice McGuiness had been appointed to take Carl Anderson's place, and it was Justice Poché and you and me and Justice McGuiness.

Timothy Reardon: It was a good—it was a very good—group.

Daniel Hanlon: It was a good group. That's right.

Timothy Reardon: Mike, when you eventually did retire in—

Daniel Hanlon: December 31, 2000.

Timothy Reardon: And before we get to what you're doing in retirement, just our research discloses that you authored approximately 60 published opinions. Are there a few of those opinions that stand out at this time from your perspective?

Daniel Hanlon: I guess there's a couple, and only because the attorneys talked to me about them once in a while. There was a case called *Morrison-Knudsen v.* . . . oh, who's the law

firm? I have it, I can look it up. But it was an ethics question about disclosure and conflicts of interest of attorneys on collateral cases and became . . . it's in some of the ethics books now; it became a big case and people have spoken to me about that.

There are a couple of criminal cases that were interesting. I mean, do you remember when I wrote the opinion that fired the district attorney of San Francisco from his case for conflict of interest? It was an unhappy moment for District Attorney Hallinan, but it was very obvious he had a conflict. *[laughing]* Do you remember?

Timothy Reardon: *[Laughing]* And yes, I do remember that.

Daniel Hanlon: Another one was a case that's in the textbooks now in teaching in family law, and that was *Byrne v.* . . . It was the case where I held the equity—I have to think about that for a minute—but I held those equities required that as a putative marriage that there had been a promise to take care of the woman. They were living together and Mr. Byrne was always going to take care of her and have her in the will and so on, and—

Timothy Reardon: Yes, I do, I remember that case as well.

Daniel Hanlon: Yeah, and so that case, by the way—

Timothy Reardon: Made it in the textbooks. *[laughing]*

Daniel Hanlon: Equitable estoppel. I think you were on the opinion. We held that equitable estoppel prevented the heirs of the woman from getting that, because it was so clear that it was going to happen.

Timothy Reardon: Well, there are many, many notable decisions, published opinions that you have—and again I don't want to try to, you probably don't want to try to go through, each one of those. But you served . . . I was on many of those cases, obviously, with you, but Mark Poché you've already mentioned; Carl Anderson, who then retired; and McGuiness, who then left the division to another position. So and then Justice Sepulveda came—

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Daniel Hanlon: Justice Sepulveda came on board. We worked with her. We always had great—

Timothy Reardon: It was a very collegial division and an extremely hard-working division, I might add.

Daniel Hanlon: It was, it was. And we got our cases out and we were always timely.

Timothy Reardon: In the tradition of Carl Anderson.

Daniel Hanlon: That's right, except that we had a little hiccup in our writ department and we had a writ attorney who sort of fell behind. *[laughing]*

Timothy Reardon: Yes, but we got that straightened out.

Daniel Hanlon: We got that straightened out, and that was the only time, I think, that we had a little problem.

Timothy Reardon: Yeah, exactly. Well, we're working our way up to your retirement, as you mentioned was in 2000. And I know you've been busy, very busy, in retirement, but you're with JAMS—

Daniel Hanlon: With JAMS.

Timothy Reardon: JAMS here in San Francisco, and Bob Dossee, your good friend and colleague, is also with JAMS. Have you enjoyed the time in private judging?

Daniel Hanlon: I have very much. I mean, the nice part is that there are many of us there that were together before; besides Justice Dossee, there's Judge Lynch, from the federal court—he was on the superior and municipal court with me—and Justice Harry Low, same thing, was my first presiding judge in the municipal court.

Timothy Reardon: That's right.

Daniel Hanlon: So there's a number of us there—Dan Weinstein—that were all together. And so it's a very . . . Now we have some of the newer judges from the superior court that have joined us. Dave Garcia is over there and—

Timothy Reardon: Alex. No, Alex is with—

Daniel Hanlon: No, no, he's with the other.

Timothy Reardon: The other brand; we don't want to mention him on the tape. *[laughing]*

Daniel Hanlon: But Jim Moore.

Timothy Reardon: Jim Moore, that's right—just recently, I think. Mike, you're known as well for your contributions to the educational efforts of both the bench and the bar and giving them the benefit of your legal knowledge and judicial experience. And there is a long list of

educational activities that you've been involved in. And could you maybe mention a few of those efforts in educational events in the law?

Daniel Hanlon: I did a lot of work with CJER, the Center for Judicial Education and Research, starting with teaching on the indoctrination program for new judges. And then for many years I was teaching at the Judges College, the two-week mandatory educational program for trial judges in Berkeley, now called the Bernie Witkin College. And I did . . . boy, I don't know how many years I must have done, 12 to 14 years there.

Timothy Reardon: At the judicial college.

Daniel Hanlon: At the judicial college, teaching anything from evidence to trial practice to managing complex litigation; ethics at one point, I think. And I did teaching, of course, in the juvenile section of the bench as well as at the National Council for Juvenile Court and Family Law Judges. I was very active in their programs. I was on their Metropolitan Committee, which involved supervising juvenile judges of big cities across the country; I mean, Los Angeles, Atlanta, New York, Chicago, Nashville. We'd all get together and we all had the same kids, so it was an interesting . . . it was an eye opener that it wasn't that different; it's just how we handled them might be different. So we learned a lot of things and shared ideas on how to do things.

Timothy Reardon: It's my recollection—I'm not sure I have this right—you taught at USF as well?

Daniel Hanlon: Yes, I taught juvenile law as an adjunct professor for 15 years at USF starting . . . When I was in the juvenile court, I found that attorneys were coming out very well-meaning; for instance, public defenders who were doing criminal law, they'd come out to do delinquency, and it was a different system. And so I felt that people should be exposed to it, and then especially in the dependency area, they have an understanding of what the goals of the dependency court were and how people should represent parents and how they should represent kids in that court—because that's probably one of the most highly intense courts there are. When you start removing people's children from their care and custody, emotions go down that are just very deep-seated. As a matter of fact, in all my years on the bench, 28 years, the only time I had threats or needed security was when I was at juvenile court, where I removed kids.

Timothy Reardon: With the dependency calendar.

Daniel Hanlon: And for dependency, the dependency calendar, yeah.

(00:29:56)

Timothy Reardon: I know that can be very emotional, and the emotions of the parties—and of course you can't help yourself to become involved emotionally as well.

Daniel Hanlon: I had one, I removed some kids from a cult, three kids, and I put them into dependency, it was a cult of Ohm. And so I was getting these letters from a fellow who called himself Emmanuel Ohm, who was the head of the cult, and he would say, "Well, you've kidnapped my children, I'm going to kidnap yours." And at that time my youngest child was going to school with your daughter at St. Rose. And they picked up her up every day, the juvenile officers did, in an unmarked Plymouth—they might as well have used a black and white—and took her over to St. Rose. She'd arrive at school with obviously two cops in the front seat. *[laughing]*

Timothy Reardon: *[Laughing]* But it prevented . . . or at least there were no problems on that front. Well, that's great.

And I think you mentioned your kids; I know Yvonne, your wife, was very much involved as well in some of the activities relating to juvenile hall.

Daniel Hanlon: Yes, she was very active in the volunteer's group at juvenile hall. They not only ran sort of an accommodations store there for kids, but they took care of Christmas presents for all the children in dependency and in lockup. Every child who was either a dependent child under the jurisdiction of San Francisco Superior Court . . . They had this whole storeroom, and the social workers could come in and get a gift for each kid in there and take it to them on Christmas.

Timothy Reardon: Very nice.

Daniel Hanlon: And she worked very hard on that, really.

Timothy Reardon: That's what I thought. It's kind of a team effort up there.

Daniel Hanlon: Yes, it was a team effort.

Timothy Reardon: Mike, in recognition of your judicial experience both as a trial judge and an appellate court judge, you were as a member of this court appointed to the Commission on Judicial Performance, which in itself is a real honor. Could you tell us a little bit about that experience? I

don't necessarily mean each case or any of that, but just on the process.

Daniel Hanlon: Yeah, that was very interesting. I mean, you're right, it was an honor. I served two years as a member of the commission and then two years as its chair. This was the new commission—that is, when I say the new commission, commission that the Legislature had changed. One time it had been a majority of judges with a couple of attorneys appointed. This commission was only three judges and then six public members appointed. Let's see, two by the Governor, two by the Speaker of the Assembly, and two by the Senate pro tem—that's two, four, six—and there were two attorneys appointed also by the Chief. And the appointment is made of the judges by the Supreme Court—not just by the Chief—but the Supreme Court votes on the appointment.

And it was very interesting. I had a wonderful group on that commission. Most of them got it, what we were about; and what we were about is not nitpicking or, you know, worrying about chicken stuff. But we had some serious cases; we had some very serious cases that came before our commission.

One of the facts was a judge that was reported missing finally by his presiding judge in Southern California. As you know, a presiding judge, if a judge has not been there for 90 days, has to notify the commission.

I had the executive director of the commission, Victoria Henley, and I met; they couldn't find this guy. And so I had a friend who was a former FBI agent—as a matter of fact, an agent in charge here, and was a private investigator now, so we hired him. We found him going to medical school in the Bahamas and drawing his salary and a monthly salary as a superior court judge.

That was just bizarre. And we had some other cases.

Timothy Reardon: I remember about that one, the one you've just described, and I think that particular judge is the same ethnic background as you and I.

Daniel Hanlon: Exactly, that's right, yes.

Timothy Reardon: But that was certainly a strange, strange case.

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Daniel Hanlon: Strange, and it just . . . and some of the people were very humbled by the experience. You know, it was very

humbling for them to come before the commission and it was daunting. But the process—overall, I'm very confident the process worked. We had dedicated investigators; most of them were attorneys. Their reports, I always thought, were pretty well balanced and fair. The commission . . . it was interesting, by the time I left the commission, even though there were only three judges, there were also three active judicial officers' wives on the commission.

Timothy Reardon: Oh, I didn't know that.

Daniel Hanlon: So it became basically the judges of majority, something you're trying to avoid. *[laughing]* It was very interesting. We had Justice Lui's wife and Judge Reinhardt from the Ninth Circuit's wife and a judge from Los Angeles Superior Court's wife. So it was very interesting.

Timothy Reardon: That's very interesting. But you think, you were happy with—and "happy" is not the best word—but you were confident that it worked out.

Daniel Hanlon: It did. There was one case, it was always troublesome. Myself and fellow commissioner Michael Kahn—he was a lawyer, one of the lawyer members, along with Michael Farrell—wrote the only dissent that has been written to a holding, and that was a case of a judge in the valley who had sexually accosted his bailiff. And the majority of the commission voted just to give him a reprimand. The rest of us, the men that I just spoke of, voted for removal.

Timothy Reardon: I always thought that was interesting.

Daniel Hanlon: I thought it was a woman's issue, but what the heck. And so in that case, we filed a two-page dissent. And I guess I'm smiling a little bit, because in later years it turned out we were right; he offended and resigned.

Timothy Reardon: And the Mike Farrell you refer to is the actor.

Daniel Hanlon: Actor, right, and played Honeycutt in *M.A.S.H.,* and then he was the producer for a TV show called *Providence* for many years.

Timothy Reardon: And he was a pretty competent—

Daniel Hanlon: He was a very competent commissioner. I got to appreciate him, got to know him. I know he has some causes that some people think he is . . . but they're serious causes, and he does a very good job. And the

commission, he understood what we were about, what should be happening, and that was very good.

Timothy Reardon: Well, Mike, you have served the judiciary for 28 years. I think that you have no regrets having been on the bench that many years.

Daniel Hanlon: I have no regrets; it just seemed to me it was time to move on. It just was . . . I was just at a time where I was ready. It was interesting; after I left, some of the . . . the Chief, the current Chief, was worried about judges leaving and developed some programs that would have made it an incentive for me to stay at the time. At that time, I was way over my 20 and 60 limit and was being penalized by still taking 8 percent out of my retirement fund even though I was fully vested. And I know that was a problem for a lot of judges after a while.

Timothy Reardon: Right, and he managed to—the Chief managed to—convince the Legislature to pass that incentive program, or if you stay so many years beyond your retirement—

Daniel Hanlon: I think it was good. But I have no regrets about the bench. I didn't leave with any bad . . . I felt I was still on top of my game when I left.

Timothy Reardon: Right, and you still are on top. I asked this question of your friend and former colleague and currently member of JAMS as well, Bob Dossee, and he said that question "sounds as if I died already." And the question was, "How would you like to be remembered in terms of your judicial career?"

Daniel Hanlon: A two-word statement for the tombstone? *[laughing]* I think when you look back, I think, I would hope, that I would be remembered as a person of integrity that attempted to apply the law knowledgeably and fairly. And if I come out with that, I'm happy.

(00:40:03)

Timothy Reardon: That would be good on the tombstone.

Daniel Hanlon: That would be good on the tombstone; a lot of chiseling, I think.

Timothy Reardon: Might be a little expensive, but it would be very accurate, I might add. Probably just to conclude, your family . . . and I know you've got a trip planned, but you're very close to your family.

Daniel Hanlon: I am. As a matter of fact, one daughter is back home with her husband, and a four-and-a-half-year-old grandchild that gives me—

Timothy Reardon: So during retirement, you've had a—

Daniel Hanlon: Yeah, I've had a very close relationship with a four-year-old; it was fun. She and I have breakfast together every Monday—I'm usually home on Monday—and come to the city after. And about a month ago I was sitting there, and I could see she was upset about something, and I assumed that her mother was upset with her. And I said, "What's the matter, Bella?" And she said, "You know, Grandpa, my mommy just doesn't understand me." At that point I wanted to say, "If you don't think she understands you now, wait till you're 14." *[laughing]*

Timothy Reardon: *[Laughing]* Good advice. Well, I know we could go on and on but I just want to say, one, thank you very much for participating in this project. You've been a great friend and mentor to me and given back much to the community—the legal community, the community at large—a real credit to the judicial profession and legal profession. And I appreciate your participating in this interview and, of course, wish you the very best in your retirement.

Daniel Hanlon: Oh, thank you very much, Tim. As you know, we still see each other, and we do have our friendship. And I appreciate having an opportunity to do this. Thank you.

Timothy Reardon: Thanks, Mike.

Duration: 42 minutes
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