Kathleen O'Leary: I'm Justice Kathleen O'Leary from the Fourth District Court of Appeal, Division Three in Santa Ana. It's my privilege today to be interviewing Justice Raymond Ikola of my court for the Oral History Project for the Appellate Court's the Legacy Project.

With that brief introduction, Justice Ikola, from here on out, it's Ray. Is that okay?

Raymond Ikola: That's fine.

Kathleen O'Leary: Okay, first name bases with me too.

Raymond Ikola: So, you're KO.

Kathleen O'Leary: I'm KO.

Raymond Ikola: All right.

Kathleen O'Leary: Let's start at the very beginning. Where were you born and where did you grow up?

Raymond Ikola: I grew up in a small town in the upper peninsula of Michigan known fondly to the locals as the UP. Folks from the UP are known as UPers. But the time I grew up in it, it was named Ishpeming, which is a Chippewa Indian name, which means heaven or the high place. Not to be confused with the town three miles away called Negaunee, which supposedly was Chippewa Indian for the low place or hell. So, I grew up in heaven.

Kathleen O'Leary: I know a little bit about the UP from you. There's a particular delicacy, that meat pie?

Raymond Ikola: It's called a pasty.

Kathleen O'Leary: And that's one of your favorite meals, isn't it?

Raymond Ikola: It certainly is.

Kathleen O'Leary: If it's made properly.

Raymond Ikola: My mother always would say, you see the Ishpeming in the whole upper peninsula in that area was an iron mining range, underground iron mining. And many iron miners came to that area of the country from Wales. I guess they have mining in Wales, England and they brought the pasty with them and my mother used to say, "Well, they invented the pasty but the Fins perfected it."

Kathleen O'Leary: How about anything else about your family you would like to share with us? Father, siblings?

Raymond Ikola: My father was the principal of a junior high school, intermediate school. My mother was an elementary school teacher and I have one older

brother, nine years older than I, who became a pediatrician. So that's my immediate family.

Kathleen O'Leary: Sometimes people have other influential members in their family, a grandparent, an aunt, maybe just not a family member but a community member. Anybody, any lawyers early on or anybody else that was influential?

Raymond Ikola: No, not for it. Certainly, no lawyers. One of the big regrets in my life I suppose is that I was not attracted to the law until somewhat later in life and part of that I think was because I did not have any lawyers as role models. Although I will say that I did have a newspaper route or delivered newspapers and one of my clients was the author of the book "Anatomy of a Murder," which sometime later became an Otto Preminger film. It was based on a true story in the area where I grew up and the author of that book was on my newspaper route.

Kathleen O'Leary: So, the UP can claim celebrities other than you.

Raymond Ikola: Apparently.

Kathleen O'Leary: I'm gathering you went to high school.

Raymond Ikola: I did.

Kathleen O'Leary: On the UP.

Raymond Ikola: In the UP in Ishpeming. Ishpeming High School.

Kathleen O'Leary: Okay. I'm skipping pronouncing that word. I'm just going to call it that town in the UP and where did you go to college?

Raymond Ikola: Well, then I went to the University of Michigan.

Kathleen O'Leary: And that was how far from where you grew up?

Raymond Ikola: Around 500 miles give or take.

Kathleen O'Leary: Okay, so it was really going away to school?

Raymond Ikola: It was going away to school. Okay.

Kathleen O'Leary: What was your major?

Raymond Ikola: Electrical engineering.

Kathleen O'Leary: And the reason you would select electrical engineering as a major? I'm just curious.

Raymond Ikola: A couple of reasons. First of all, as I was growing up. I was a radio amateur, amateur radio operator known as radio hams in those days. Maybe they still are, I really have lost touch with that world. I built transmitters and receivers and communicate with other radio hams

around the nation in the world. That was an interest I had as a boy growing up. Then, in my senior year in high school, the Soviet Union at that time where there was a Soviet Union, launched two earth satellites, Sputnik in the fall of 1957. And nationwide, there's a hue and cry about our country falling behind in science and technology and we needed more scientists, we need more engineers. Some saw that same hue and cries, of course with the urging of people who do STEM careers.

But I was good at math, I was good at science and I had this background with an amateur radio. So electrical engineering just seemed like a natural choice at the time.

Kathleen O'Leary: So you were STEM before it was really the in thing to be? You're a trendsetter?

Raymond Ikola: I don't know I was a trend setter, but that's what I did.

Kathleen O'Leary: When you were at Michigan, any extracurricular activities of note?

Raymond Ikola: My first year at the university, I was a member of the Michigan marching band. That was about -- well then I was a member of a fraternity after that.

Kathleen O'Leary: What did you play in the marching band?

Raymond Ikola: Clarinet. And I did not go out for the band my second year as I recall. I had enrolled for 19 semester credit hours in my sophomore year fall and you just simply could not spend the time with the marching band that's required to carry that sort of load.

Kathleen O'Leary: I'm guessing that engineering, there were no really easy electives?

Raymond Ikola: The easiest elective I had was a course called Astronomy 101 and strangely enough, most of the Michigan football team was enrolled in that course.

Kathleen O'Leary: You had said that your interest in law was a late interest. It wasn't your initial interest. So I'm guessing that after you left college, you went on to do something not in law?

Raymond Ikola: Yeah. I stayed at Michigan, University of Michigan, finished a master's degree in electrical engineering and then I got a job, which was just a plum job at the time as a member of the technical staff at RCA Laboratories in Princeton, New Jersey.

Kathleen O'Leary: By this time you were married, right?

Raymond Ikola: I was married.

Kathleen O'Leary: So you moved the family to New Jersey from Michigan.

Raymond ikola: Yes.

Kathleen O'Leary: Okay.

Raymond Ikola: The family, being my wife and I think only made the move, Chris and our oldest child was about two weeks old.

Kathleen O'Leary: And how long did you stay with RCA and in the engineering field?

Raymond Ikola: I was with RCA for a total of eight years from 1963 to 1971.

Kathleen O'Leary: Somewhere along the line, I think you got a doctorate in engineering?

Raymond Ikola: Yes. Well, what happened at the RCA Labs, almost all members of the technical staff had PhDs and so, long-term, if I intended to stay there, it was almost a given that I have to continue to get that, so I applied for a fellowship from RCA while I was there and they paid my way basically to finish up the coursework for the PhD. I went to Brooklyn Polytechnic and that choice was because I was in a microwave lab at RCA and at Brooklyn Poly, they had many textbooks by professors there in that field. And so, I commuted to Brooklyn from New Jersey and finished up the course work in the preliminary examination for the PhD during that time I was on the fellowship.

Kathleen O'Leary: Not that I would really understand it, but can you tell us a little bit about your thesis, its title and what the focus was?

Raymond Ikola: The title was the Effects of Asymmetry in Diffraction Gradings. It is a theoretical analysis of the effects of asymmetry in diffraction gradings.

Kathleen O'Leary: Perfectly simple. What was your second career choice and why the change after eight years in engineering?

Raymond Ikola: I gradually became less and less interested in what I was doing. I use the word bored. I can't think of a better word to describe my feeling at the time and then, I became involved in some local political efforts, mainly an effort to consolidate two municipalities which had duplicate services and it made sense to many of us on this project to combine the municipality so we didn't have that two fire departments and two police departments serving essentially same community.

In connection with that political effort, I rubbed shoulders with many lawyers, and I thought you know, I think they're having more fun at their job than I'm having at mine and interestingly enough, way back as a sophomore in college, I had these thoughts. I think I would enjoy being a lawyer and I remember talking to someone like my fraternity brothers about that and they also, "Oh, it's too late. It's too late to make a change. You're already second year of engineering." And finally, after eight years working in the engineering field, I decided to make the change.

Kathleen O'Leary: So you went home and told your wife, Jen.

Raymond Ikola: Well, we discussed it. I didn't tell her and she was very, very supportive. I've been forever so grateful for her support. I mean, we just uprooted

ourselves. We sold our house, one of our two cars and we didn't sell the children or the dog.

Kathleen O'Leary: That's good.

Raymond Ikola: We sold much of our furniture and we moved to California to go to law school.

Kathleen O'Leary: That was an interesting choice. You and Jen both grew up in Michigan. You moved to New Jersey and then you came to California to go to law school. Any particular reason?

Raymond Ikola: Well, it's actually, when I was working the sort of work I was doing with RCA, it was only about six places in the entire country where I could do that sort of work and I thought, if I'm going to be a lawyer, I can live anywhere, not limited to these six places outside of universities would be a possibility. And in the meantime, my mother and father had moved and retired to California. My older brother had set up his medical practice in central California. And so, it's sort of a natural place to think about practicing law eventually.

Kathleen O'Leary: So, where did you go to law school?

Raymond Ikola: Hastings in San Francisco, UC Hastings.

Kathleen O'Leary: And when you were in law school, did you have ideas about what kind of law you wanted to practice when you graduated?

Raymond Ikola: Not initially, but I do remember thinking seriously that estate planning kind of fascinated me believe it or not. I had a trust and estates course from a professor named Richard R.B. Powell. You may have seen in some of your travels, the eight-foot shelf of books called Powell on property, well, he was the one and excellent professor and I thought the estate planning was a possibility or being a tax lawyer. That was my initial thought.

Kathleen O'Leary: Interesting that you left engineering because you thought it was a little boring and we're thinking about estate planning and tax. Not that those are intellectually very challenging, but they're usually not a hotbed of controversy. But you didn't end up doing either of those things.

Raymond Ikola: No I didn't.

Kathleen O'Leary: What changed? What happened?

Raymond Ikola: I clerked at a firm in San Francisco, a fairly large firm, large at that time during the summer after my second year in law school and during that time, I was involved in a case with a partner and some probate litigation of all things and it was just fascinating.

The problem we had in that case, I still remember pieces of it were like a law school exam. We had a decedent who was killed in an airplane crash in England, domiciled nowhere. He was sort of a child in the world.

He lived month-to-month at different places all over the world, but he left a property in California with a brother in California and a spouse, at least the spouse claimed she was still a spouse because the decedent had secured a quickie divorce on the island of Haiti and so, we were trying to demonstrate to the court that the brother in California was the appropriate administrator of the estate and so, during that time that summer I was assigned several tasks concerning how we get certain kinds of evidence in and then I attended the trial with a partner who's doing this.

I don't remember how the case came out or whether it was even decided while I was there. But I thought to myself this is what really do. They go to court and so I decided I'm going to go to court. I'm going to be a litigator trial guy.

Kathleen O'Leary: It sounds like it was sort of the legal equivalent of a Rubik's Cube twisting all the different parts trying to find the solution.

Raymond Ikola: It sort of was. It was a fascinating case actually.

Kathleen O'Leary: When you graduated from law school, and now you've decided you're looking for a litigation firm, where was the first firm you practiced?

Raymond Ikola: I had an offer from that firm in San Francisco and I had not given them an answer immediately and I was working on the Hastings Law Journal at the time and I posted notices on the bulletin board about firms coming to interview on campus and I saw this rather smallish firm from Santa Ana, California show up and I thought that's interesting. I asked somebody, "Where is Santa Ana?"

And they said, "Well it's down there, it's an Orange County, but Disneyland area." So that's interesting because most of the firms that come on campus interviewing were larger firms.

Well, I signed up mostly out of curiosity and they invited me down to Santa Ana for an interview and I found that I hit it off with all those people in the firm. I just hit it off and I remember talking to Jen, my wife about it and said, "You know, if I go with a large firm, partnership track is usually seven or eight years, so that's what it was at the time." I was older I was going to turn 34 when I graduated from law school, and I thought, if I go with a smaller firm, it's likely that I can be a partnership track earlier and that turned out to be really true. So we made the decision to come to Orange County.

Kathleen O'Leary: And I know you said many times how appreciative you are of all the support Jen has given you in your somewhat circuitous career path and your moves all over and while you were in law school, Jen was working, wasn't she to try and help support the family?

Raymond Ikola: Not much. She did a little bit of work. She worked in a doctor's office, the front office person for a time, but mostly, we got through law school on the capital gain we made in the sale of our New Jersey house that

essentially financed our way through law school and we came out of law school penniless essentially having used all that money.

Kathleen O'Leary: And then came to Orange County, took it in to the Orange County housing market.

Raymond Ikola: Yes.

Kathleen O'Leary: It was a little better than when you came than it is now.

Raymond Ikola: It certainly was.

Kathleen O'Leary: Okay. And so you settled in Orange County now with two little girls.

Raymond Ikola: Yes.

Kathleen O'Leary: And what was the name of the firm you started with?

Raymond Ikola: At that time, it was Wenke, Birds & Taylor.

Kathleen O'Leary: Okay, and then you made some changes in firms over the years.

Raymond Ikola: Well, that firm sort of evolved as some of the name partners left. It became Wenke, Taylor, Evans & Ikola for a while. I was made part I think it was three and a half years, it became Wenke, Taylor, Evans & Ikola and then eventually Taylor, Gary Taylor went to the Superior Court as a judge and then shortly thereafter became a US District Judge here in Santa Ana. Then Bill Wenke, the other named partner left. I think it was about 1986 to go back to his alma mater, University of Nebraska to head up their charitable foundation.

Kathleen O'Leary: And at some point, I know before you came on, you left Snell & Wilmer to come on the bench. Was there anything between?

Raymond Ikola: Yes. So somewhere around 1986 or 87, my younger partners thought they would like to merge with a larger firm. And so, we were approached actually by a branch office from a firm in Los Angeles known as Hostetler, Klaus & Beardsley. And so we voted -- I shouldn't say we voted. Actually, my partners voted to join that firm. I was the only dissenting vote mostly because I liked being in charge of my own life without the trappings of a larger firm.

But I went with my partners. We merged with the Hostetler group. It didn't last long, we had some issues that could not be resolved and so in 1990, we were approached by Snell & Wilmer who was a Phoenix-based firm at that time and they had established an outpost in Orange County about 18 months before that. And so, they were looking to build the office and so, as a group, we moved over to Snell & Wilmer.

Kathleen O'Leary: You are sort of atypical because I think of someone from the Midwest, from the UP, engineering background, you would think that that person would not be a risk taker, that they would be if it isn't broke, don't fix it and yet you've never hesitated making a change if you thought it was

the right thing to do. Why do you think that is? And Jen's always supported you.

Raymond Ikola: Well, the biggest change of course is leaving my career in New Jersey and going to law school and I was young and young people take risks. I remember I should say that you mentioned that I went on to get my PhD. I had been lumbering along literally with my dissertation. I finished all the requirements for the degree, but the dissertation I was working full-time and it was taking some time to get it done.

So when I made the decision to go to law school, I thought I'm going to be competing with all these people who came out of a liberal arts background, who have written essays all their life. I've never written an essay exam as an engineering student.

Despite my thought that I would enjoy this, maybe I'm no good at it. And so I better finish that PhD, so I put my pedal to the metal during that last year before starting law school and finish the dissertation.

Kathleen O'Leary: You don't take these leaps without a lot of preparation, strategic --

Raymond Ikola: That was a little safety net if it didn't work out as a lawyer. As it turned out, I did perfectly well in law school. In fact, I did very well.

Kathleen O'Leary: By all accounts and I've heard this from lawyers, judges, you are a very busy and extremely successful trial lawyer, something that a lot of people don't like doing is trying cases and actually being in a courtroom. Did you enjoy trying cases?

Raymond Ikola: Oh, very much. It's just one of those things that you either enjoy or you don't I guess and I really did enjoy it. And when I joined the Wenke, Birds & Taylor firm at that time, Bill Wenke, the most senior partner had pretty much -- he had attracted some very large marital dissolution cases, and he was pretty much going in that direction full-time and he had many business clients also at the time that he needed to service.

And at that time also, one of the Associates in the firm who is doing the business litigation left to form his own office and so, there was a need for people to handle these cases and I was there and so I think in the first two years, I think I recollect that I tried about 18 cases or arbitrations. Not many of them were large cases, many of them are municipal court cases, little disputes between subcontractors and contractors but it was a great experience, great training.

Kathleen O'Leary: Little cases, but big cases to the clients.

Raymond Ikola: Absolutely.

Kathleen O'Leary: I think that qualifies you as a trial horse, 18 cases in a couple years, large and small cases.

Raymond Ikola: It's a slow down after that because I was doing larger cases and you can't do that many cases with that frequency.

Kathleen O'Leary: These cases that you tried as a lawyer, do any of them stand out in your mind that you -- for any reason, intellectually challenging, kind of interesting facts.

Raymond Ikola: In the early 1980s, I had two cases that were really quite public, generated a lot of publicity, so I remember those cases. One was a case we brought a class action on behalf of the residential lease holders of the Irvine Company in Irvine and Newport Beach, turned out that probably around the mid-1950s, the Irvine Company, which is a large landowner in Orange County began doing residential developments by building houses on land that was leased to the residents.

The residents would buy their home but the land would be leased so they paid ground rent to the Irvine Company. All those grounds leashes had clauses in them that required a readjustment of the rent in typically 25 years, sometimes 30 years. And so, from the 1950s to the early 1980s, those leases were being readjusted and the poster child for this phenomenon was a fellow who was paying as I recall about a thousand dollars a year in land rent and he was readjusted 80,000.

It was just more than the individual salary. So, the community was up in arms about this because it was just threatening people with loss of their homes. And so, we filed the lawsuit, a class action against the Irvine Company and it wound up getting settled on terms that were I think quite favorable both for the Irvine Company and for the landowners or leaseholders.

Kathleen O'Leary: It's kind of a David and Goliath story.

Raymond Ikola: In a way it was, but part of the reason that it eventually settled I believe was not only the lawsuit, the threat of lawsuit but Irvine Company changed hands at about that time. The ownership changed and I think the new owner was very anxious to put this big public dispute in the rearview mirror. So we did it.

Kathleen O'Leary: Any other cases?

Raymond Ikola: The other case that was quite interesting -- about that time, I was doing some work in the air transportation industry in couple of different capacities but American Airlines retained our office, me specifically, when they were having difficulty serving the Orange County airport now known as the John Wayne Airport and the Orange County Board of Supervisors at the time were being somewhat protective of some local power brokers, if you will, wealthy owners of airline then known as Air California who did not particularly want competition at the John Wayne Airport. So, we successfully got an injunction requiring the county board to allow American to commence service. That was a very public dispute.

Kathleen O'Leary: It's very time sensitive too. I think weren't you rushing to get papers filed in that case?

Raymond Ikola: Yeah, what happened was we had obtained I think -- what stage was it? I think it's either a temporary restraining order or maybe we had the preliminary injunction at the time restraining the County of Orange from preventing American Airlines from flying from the airport. Just a few days before we were to commence service, and of course, American had already sold tickets for the initial flights, the station manager for American came running to me saying the airport manager just dropped by and said, "Well, you have an injunction requiring us to allow you to fly your airplanes, but you don't have an operating agreement with us. So we can't allow passengers to be boarded."

Kathleen O'Leary: Those are the exciting dynamic things that happen in trial practice. They probably made it very enjoyable for you.

Raymond Ikola: It was really quite stunning. So, we stayed up all night. No, actually then what happened, recalling now, the County of Orange appealed to the Ninth Circuit on a preliminary injunction and Ninth Circuit stayed. This was after we had overcome the station manager's concern about not letting passengers board the planes, but the Ninth Circuit had stayed the injunction pending the appeal.

Well, so when that happened, this is just I think three days before the flight. It was pretty exciting. So we stayed up all night after that stay order came out doing an ex parte application to vacate the stay based on the immediacy of these flights and the passengers and their plans being shattered and all that and the funny thing about that I remember, we were up all night drafting these papers and what color covers do we have to have?

And it was about two or three in the morning and we looked around, we turned out as red as I recall. We didn't have any red covers in the office. We had a word processing operator at the time. People didn't have computers. You had a dedicated word processing operator. She said, "My daughter has some red construction paper at home." She went home, picked up some red construction paper we filed in the Ninth Circuit at eight o'clock the next morning in the Los Angeles Clerk's Office with red construction paper covers.

Kathleen O'Leary: See, I can see you were having much more fun as a lawyer than you ever would have had as an engineer.

Raymond Ikola: So much fun.

Kathleen O'Leary: So much fun and yet at some point, you decided to apply to the bench?

Raymond Ikola: I did. By the way, to finish that story, we did get the stay order vacated on a two-to-one decision.

Kathleen O'Leary: I didn't mean to jump ahead. Any other cases you want to talk about?

Raymond Ikola: No, there are other cases that I had so much fun with, but that's enough.

Kathleen O'Leary: There's only so much fun we can talk about. This is a serious interview. Now, I think you made another partnership decision in terms of you went home and talked to Jen I assume about a judgeship and what precipitated that conversation?

Raymond Ikola: It's interesting. I was working along at Snell & Wilmer and one day, I get a call from Bill Wenke, the former senior partner.

I hadn't seen him for many months and out of the blue, he calls and says, we chatted for a while and he said, "Ray, have you ever thought about going in the bench?" And I said, "No, not really." He said, "I think you ought to give it a try." I said, "Really? You think so?" And he said, "Yeah, I think you should."

So I hung up the phone after the conversation. I sat there thinking, I really had not considered that path but I enjoyed the courtroom so much. Maybe I should consider that. So I called my wife Jen, I said, "Hon, let's go out for dinner tonight." We were members of the Center Club at the time so we had dinner at the Center Club and I said, "This is something maybe I should give a shot at." And she said, "Go for it." So that was a decision we made and so I put in my application.

Kathleen O'Leary: Well, let's go a little bit, diverging a little bit and talk about your personal life, little away from your professional life because we've talked about Jen, who's your wife of how many years?

Raymond Ikola: Fifty-eight.

Kathleen O'Leary: I know that you proposed to Jen and married her when you were at Michigan and the reason I know that is because when I visited the Michigan Campus with you, you and Jen showed me the very spot where you proposed.

Raymond Ikola: Yes. I remember it well.

Kathleen O'Leary: And lots of memories from Michigan Campus. Wasn't there also a memory with a presidential candidate at the Michigan Campus?

Raymond Ikola: Actually, I haven't thought about that for a while but in the fall of 1960, during the campaign, John F. Kennedy had debated Richard Nixon on TV. It was the first TV debates, the presidential debates and after the debate, one of the debates, John Kennedy was going to stay at the Michigan Union overnight. And so, the word was out that John Kennedy is going to be staying at the Michigan Union, so lots of students turned out to see John Kennedy and so, I was standing just near the steps of the Michigan Union at two in the morning when John Kennedy's car rolled up. He got out. He walked up the steps of the Michigan Union, stood there and addressed the gathered students and I was about 30 feet away and that's when he proposed the formation of the Peace Corps and to this day, there's a plaque at that the Michigan Union steps showing where he stood when he proposed the Peace Corps.

Kathleen O'Leary: So, you are a very proud graduate of the University of Michigan and have many great memories, lots of good things happened to you at Michigan. But let's talk about your daughters, you have two daughters, Kristen and Cathy.

Raymond Ikola: Two daughters, Kristen and Cathy, yes.

Kathleen O'Leary: And multiple grandchildren.

Raymond Ikola: Five.

Kathleen O'Leary: You want to tell us a little bit about them?

Raymond Ikola: Kristen, the older daughter, is now a lawyer, a tax lawyer. She works at an in-house, a large retailer, in-house doing tax work.

Kathleen O'Leary: Must have been in her genes. You weren't the tax lawyer associate --

Raymond Ikola: Maybe, I don't know. And my younger daughter Cathy is a high school English teacher and also part-time director of Christian Education at her church.

Kathleen O'Leary: And the grandkids are doing all kinds of different things.

Raymond Ikola: My oldest grandson is now a forensic scientist with the California Department of Justice, an original lab in Reading way up in Northern California, north of Sacramento. The next oldest grandson just finished at UCLA with a degree in nursing.

Kathleen O'Leary: Jen studied nursing?

Raymond Ikola: Yes.

Kathleen O'Leary: So the science nursing, it's in the blood.

Raymond Ikola: Maybe and the next granddaughter, now it's a granddaughter time, is in her junior year at UCLA studying English and I just learned that she will probably finish her degree in three years in the summer. So, she's finishing rather quickly. Then going to Kristen's family, her oldest daughter just finishing her freshman year at the University of North Carolina School of the Arts in Winston-Salem, North Carolina.

Kathleen O'Leary: She's a very talented theatrical artist.

Raymond Ikola: Yes. She's having second thoughts about going into the acting business. She thinks maybe she's better suited to be a director or writer. She's an active writer.

Kathleen O'Leary: She's only 19 and she comes from a family where her grandfather was never afraid to make a change, so I suspect she's not afraid to make a change if she thinks it's warranted.

Raymond Ikola: Maybe that's in the genes too.

Kathleen O'Leary: Yeah, you set a good example, you and Jen both have.

Raymond Ikola: And then my fifth grandchild, grandson is a sophomore in high school.

Kathleen O'Leary: Okay, now back to the professional side. So you applied for an appointment to the bench and my recollection is the time between your application and direct appointment to the Superior Court was relatively short?

Raymond Ikola: No, it was relatively long. It was about 30 months, two and a half years.

Kathleen O'Leary: Okay, but you were appointed directly to the Superior Court, you were not appointed into the Municipal Court?

Raymond Ikola: That's true.

Kathleen O'Leary: And when you went to the Superior Court, you're assigned immediately to the civil panel?

Raymond Ikola: Immediately the civil panel. I was sworn in at eight o'clock in the morning and I went to, as I recall, Department Eight of the Superior Court and about nine o'clock, in walked the case ready to be tried.

Kathleen O'Leary: You probably didn't bat an eye.

Raymond Ikola: Well, it was a pretty simple case.

Kathleen O'Leary: What about the transition from being a trial attorney, being an advocate, now, you're the neutral trial judge?

Raymond Ikola: To me, it was a very smooth easy transition. The courtroom was familiar territory to me. I was playing a different role and now had the best seat in the house. I didn't have near the tension that trial lawyers have and it was just a thoroughly enjoyable job.

Kathleen O'Leary: What about the tendency to want to jump in? I mean if you're an experienced trial lawyer.

Raymond Ikola: Oh, no. No, I knew it as a trial lawyer, you don't want the judge jumping in.

Kathleen O'Leary: So, your experience as a trial lawyer really --

Raymond Ikola: Unless it's necessary to control the proceeding or some reason but actually, let the lawyers try their case was my best philosophy.

Kathleen O'Leary: So your experiences as a trial lawyer really educated you in terms of what the perfect judge was.

Raymond Ikola: I hope so. I think so.

Kathleen O'Leary: Then, you were on the civil panel for how long?

Raymond Ikola: Five years.

Kathleen O'Leary: And then you went to the complex civil panel which is long cause civil cases.

Raymond Ikola: Yes, last two years was on the complex civil panel. I had been supervising judge of the civil panel a year before and then I went to the complex panel. The PJ gave me a choice, you want to supervise civil panel another year or two years or you want to go to the complex panel? So I chose the complex panel.

Kathleen O'Leary: I remember when I was the Presiding Judge of the Superior Court, the Assistant Presiding Judge, Bob Jameson was elected. And he had been the supervising Judge in civil and I said, "Well, Bob, you're not going to be able to do that in January because you'll be the Assistant Presiding Judge, who should I have supervise civil?" And without missing a beat, he said, "Oh it has to be Ray Ikola." So, did he discuss that with you before or was it a surprise?

Raymond Ikola: No, I had no idea.

Kathleen O'Leary: Well, he had absolutely no hesitation as far as he was concerned, there were no other choices. But you didn't last a long time as a supervising judge because you did decide to go to complex.

Raymond Ikola: I did go to complex.

Kathleen O'Leary: What about cases either on the civil panel or on counting on the complex panel that were of particular interest to you or interesting facts or -- I'm using memories.

Raymond Ikola: There was a memorable case, a couple of them actually. You mentioned Bob Jameson, well while he was serving on the civil panel, he had concluded that that an insurance company defendant was not complying with their discovery obligations to the point where he decided to strike the insurance company's Answer and do a default prove up.

And he hit the insurance company on a default basis with a 61-million-dollar judgment and it went up to this court and it was reversed on due process grounds. It was after that that the legislature enacted a provision requiring notice of how much you're seeking in punitive damages before doing the default. But at that time, there was no such provision. And so, as a reverse, they came back, but by that time, I was on the court and the case got assigned to me to retry.

And the thing I can remember about the case, with three days into the trial, we had some very good trial lawyers on the case. Three days into the trial. I called counsel back to chambers and said, "Counsel, I'm going to put out a mediator's proposal here because I think this case could be settled if you both take this proposal back to your clients and see whether it works. I think this case ought to be settled for 4 million

dollars. And so, report to me in the morning what your clients think about that."

The next morning, and of course that was private, one side would not know the other side's answer, the plaintiff told me, "We'll take the four million." The defense lawyers said, "No, my client will not do the 4 million." I said, "Okay." Onward, and so we finished the case trying the case, jury was out deliberating and finally came back with a verdict and the clerk or the bailiff handed the verdict to me and I looked at it and I almost broke out laughing and then I handed it to the clerk, he read the verdict. It was four million, sixty thousand dollars.

Kathleen O'Leary: So you were off by sixty thousand dollars.

Raymond Ikola: I was off by sixty thousand dollars and a four-million-dollar verdict. It was good. Both lawyers actually, I can see them grinning, I mean, even the defense lawyer because it was so serendipitous.

Kathleen O'Leary: Having been an experienced trial lawyer though, I bet that assisted you in sort of evaluating a case. You probably settled a lot of cases and tried a lot of cases, so you knew the value of a case.

Raymond Ikola: Well, but I've guessed wrong too. That was clearly a very, very accurate forecast.

Kathleen O'Leary: Any other cases?

Raymond Ikola: There was a case I remember quite well that the testimony could form the basis of a good movie actually.

Kathleen O'Leary: Well, let's hear about that one then.

Raymond Ikola: Well, I can't remember all the details but the plaintiff was from Iran, he was a wrestler.

Kathleen O'Leary: That's a good start.

Raymond Ikola: He had defected from Iran actually. He was in the Iranian military and he had come to Venezuela with the team of wrestlers from Iran to participate in some sort of world champion military wrestling championship and he and his partner, according to the testimony, then that time decided to defect. And it was a very interesting story how all that happened and how they arranged the defect but one of the things in the background of this was that the Iranian wrestler's father and uncle were important people, should I say in the Islamic government.

His father was the equivalent of what we would call the Speaker of the House of Representatives and his uncle was a high military officer. And he testified and you wonder why this is relevant and I'd had to tell more of the story to tell you why it was relevant. But he testified that his mother on a phone call from Iran had told him after he defected that his father and his uncle had lay their hands on the Quran and sworn an oath that if they ever get their hands on him, they'll kill him.

Kathleen O'Leary: Wow!

Raymond Ikola: Well, with that background, one day the LA Police Department break into his apartment and arrest him on charges of transporting heroin. It turned out that he fought the charge and he was represented by Jim Stockler, who later became a superior court judge, and he was acquitted. It turned out that they were able to demonstrate that the transportation of the heroin he had allegedly engaged in had been a setup by Los Angeles Police Department where one confidential informant had set it up to send the drugs to another confidential informant.

At any rate, why this background? It turned out that this arrest that happened as I recall was about one week before he was to sit down for his final interview for his United States citizenship.

Kathleen O'Leary: Which was very important to him because he couldn't go back to Iran, it doesn't sound like.

Raymond Ikola: Well, it was doubly important because he was not only a wrestler, he was a very good wrestler. And he was about to try out for the US Olympic team. I think it was the 1988 Olympics in Seoul, Korea as I recall.

And because of the arrest, he could not have this interview. That was put on hold, so he could not go to the Olympics and he testified about how he's had on television watching people who he had defeated in wrestling matches in the United States win medals at the Olympics and this is a very long story but fascinating as I was almost and I haven't told you the half of what the testimony showed. At any rate, this had a background then legally. The case had been tried some years earlier by another Orange County Superior Court judge.

Kathleen O'Leary: And the case was a suit against the Los Angeles Police Department?

Raymond Ikola: Yes and one of its detectives individually. And the case had resulted in a million-dollar verdict in favor of the plaintiff. It had gone up to the California Supreme Court who reversed it on instructional error and sent it back for trial only and damages. They affirmed the liability finding and so, the case I had then was a trial on the damages. And after hearing the case again, the New Jersey jury returned the verdict to three million dollars. They managed to triple the damages from the first trial.

Kathleen O'Leary: Well, it is a pretty compelling story.

Raymond Ikola: It was a very compelling story and a memorable one.

Kathleen O'Leary: What could have been a tragedy, but it sounds like there was a happy ending and I assume that verdict to the best of your knowledge was not overturned on appeal?

Raymond Ikola: It was affirmed.

Kathleen O'Leary: Good. Any other cases?

Raymond Ikola: There are lots of other cases but enough reminiscences on cases, I think.

Kathleen O'Leary: So, in December of 2002, you're appointed to the Appellate Court. So you leave the Trial Court and you join us here at the Court of Appeal. Any thoughts in terms of your transition from the Trial Court to the Appellate Court? Sounds like you were having a lot of fun in the Trial Court with some pretty interesting cases and you're right in the thick of the battle and then you came to Court of Appeal and we're a little quieter over here.

Raymond Ikola: Well, I said the transition from being a trial guy to trial judge was seamless. Coming to the Court of Appeal, it was like jumping into a cold bath because it's very different. As you know, the job here is just totally different than being a trial judge. So, that's what I'm getting used to and took me few months, you don't have cases coming at you from the backend until you've been here for a while, so it's kind of slow. But then it picks up.

Kathleen O'Leary: When I first came, I thought it was kind of slow and I thought, "Boy, I have to get involved in more committees and teach more classes." And then, a year later, I thought, "What was I thinking?" So yeah, the cases do catch up with you.

On the trial court, rarely know what's going on in other judge's court rooms. I mean, you don't get a change to go sit and listen to other judge's trials. Occasionally and I will tell you a story, because it's in the lunchroom, when you came here, I was surprised, I suspect you were when you started reading other people's trials. It was illuminating in certain respects.

Raymond Ikola: Yes, that's true.

Kathleen O'Leary: Now, you have been a judge for over 20 years between the Trial Court and your tenure here on the Court of Appeal.

Raymond Ikola: Yes.

Kathleen O'Leary: That's actually the longest time you stayed with a job, isn't it? I mean changing firms and things?

Raymond Ikola: Sixteen years here at this court may be my longest stay in one place.

Kathleen O'Leary: Okay, so you must like the job?

Raymond Ikola: I love it. It's a very different job than being a trial judge, but it's just very satisfying.

Kathleen O'Leary: What continues to interest you? I mean, what do you like about the job?

Raymond Ikola: The variety. You would think the state has about 40 million people, I think California, just maybe just shy of 40 million and you would think with that kind of population that all the kinds of disputes that man could create have been litigated and decided, but it just isn't so. There are just new ways that people can get into trouble or generate a dispute and just never ceases to amaze me, the things people do and the jams they get in and how law is going to deal with it.

Kathleen O'Leary: The Court of Appeal does offer you an occasional probate case, so I guess you get to satisfy that interest in estate planning occasionally.

Raymond Ikola: Actually, there are some interesting probate cases, strangely enough some interesting cases that do come out of probate.

Kathleen O'Leary: In terms of tax cases, they are usually state tax.

Raymond Ikola: We don't see many of those. I think I've seen a sales tax case here or there.

Kathleen O'Leary: The big tax cases go across the street to the Federal Court.

Raymond Ikola: I think so.

Kathleen O'Leary: That doesn't disappoint you now?

Raymond Ikola: No. Not at all.

Kathleen O'Leary: One aspect there has to be something about this job that you either dislike or don't like quite as much as other aspects.

Raymond Ikola: Not really. I'm just a happy camper here. I don't have any dislikes.

Kathleen O'Leary: Honestly, on all the years that I've worked with you on the Appellate Court, I really don't think I ever have heard you express a preference for business litigation cases, criminal cases, probate cases, you do them all. Any area of the law interest you more than another?

Raymond Ikola: At the moment, no. I really do enjoy all the cases and I find challenges in each type of case that comes our way. Let me say one thing. I do have a dislike. The California Environmental Quality Act. In cases that come up from decisions under CEQA as it's called, are tedious.

Kathleen O'Leary: Because they usually come with boxes and boxes of administrative records?

Raymond Ikola: Huge administrative records and things that aren't typically exciting like traffic studies or what's going to happen to the California gnatcatcher if this golf course is built. It's tedious going through those cases.

Kathleen O'Leary: But you handle those cases just like every other case, don't you?

Raymond Ikola: Well, you've got to just dig in and do it.

Kathleen O'Leary: During your tenure on the Trial Court and the Appellate Court, you spent a considerable amount of time and devoted a lot of effort to different judicial council advisory committees. Can you tell us about those committees?

Raymond Ikola: I think the first committee I served on was at that time it was called the Court Technology Advisory Committee. Its task was to address issues involving technology and the implementation of various technologies in the courts. At that time, the judicial branch was also involved in developing a system known as CCMS, California Case Management System. And although the court technology committee was not charged with overseeing that project, we got regular reports on it. I think there was a task force that was actually pursuing that project. So that was interesting and eventually the whole project crashed and burned. It is unfortunate in my view, but that's what happened.

Kathleen O'Leary: Yeah, because we have the Appellate Court case management system here that works quite well.

Raymond Ikola: Yes. Well, the CCMS system was a massive, massive undertaking. It sought to integrate not only the Trial Courts, the Appellate Courts, but the District Attorney's Office, the Attorney General's Office, Police Departments, all law enforcement partners, the California Highway Patrol. It was just a massive undertaking.

Kathleen O'Leary: So sometimes projects are too ambitious maybe?

Raymond Ikola: That may have been part of it.

Kathleen O'Leary: The other project that I think you spent a lot of time on over the years is volunteering as a judge for the Constitutional Rights Foundation Mock Trial Program. I know you've been selected to judge the statewide competitions for CRF twice and you've been selected as their judge of the year, two, maybe three times, so why the commitment to CRF and mock trials?

Raymond Ikola: Well, it turns out that I really enjoyed it. Watching these young people high school students perform of the mock trial, it's just very satisfying. It makes you hopeful for the future when you see young people performing at that level. Lots of bright people and doing so well in presenting a mock trial and absorbing the law that they have learned in order to do this well, and it's just very satisfying to watch that process.

Kathleen O'Leary: Okay. So in addition to knowing that you are very smart and very hard-working, I know you hate it when I call you a brainiac, but I do think you are a brainiac but I've come to learn that you're kind of a renaissance man. You served as president and chair of the board of the Pacific Symphony during its early years in the 1980s. That's something a little different. What was the source of your interest in the symphony? The marching band?

Raymond Ikola: I had, believe it or not in high school, considered going into music as a career at one time, but as I've described earlier, that never happened,

but I've always enjoy classical music and one day, I was sitting in my office and an individual happened to be the manager of a large shopping center here in Orange County, was in talking about a problem that I forgot what the problem the shopping center was facing.

Suddenly, this individual said, "Do you like classical music?" I said, "Well, yes." He said, "Well, do you know about the Pacific Symphony?" I said, "Well, no." So he described this fledgling orchestra that was then I think two years old or something and said, "You know, you have to try one of our concerts." So I did. Jen and I went to a concert. I was kind of blown away. They were really good. And so, then I forgot how it was. But I wound up on the board and eventually, I was the president of the board and then chair of the board about the time that the Performing Arts Center was completed in Costa Mesa and I left the board shortly after that but those early years, it was an exciting process building the symphony support-wise, not musical-wise.

Kathleen O'Leary: You're a person that likes to stay busy. I mean, you engage in a variety of hobbies in addition to all the volunteer work in the committee work. I know you've been involved in photography, you've been involved in woodworking, a variety of general home improvement projects. I can remember you coming to work on a Monday telling me about changing all the doors in your house not because you couldn't afford to have someone do it, but you seem to think that was fun. I remember you telling me that you changed the light in your swimming pool yourself, again, just because you thought it would be fun. Why don't you just use your weekends to relax and put your feet up?

Raymond Ikola: I don't know. In terms of home Improvement projects, that was true. There were 18 interior doors. I still remember the number, 18 interior doors and in the house we're living, in turned out that the rough opening for the doors did not match standard doors. And so I had to do a lot of plaining to get the standard doors to fit. It was a big job. I did all the baseboards as well.

Kathleen O'Leary: I remember you coming in on Mondays with a few aches and pains, but laughing about how you had to plane doors to fit and the challenges you would come into. And things I've learned over the weekend about base moldings or doors. You just like doing those things.

Raymond Ikola: I often said there are two kinds of people in the world, those who like to build things and people who couldn't care less about building things and I've always enjoyed building things. So, I took up woodworking at some point. I've been doing that for eight or nine years now and I still do some Woodworking.

Kathleen O'Leary: Then, there is another interest in your life and I think this might be the high point of the interview. It's obviously you love your wife very much and your family and it appears you love your job, but there's one more significant love in your life and that's the Michigan football, correct?

Raymond Ikola: Correct.

Kathleen O'Leary: Okay. So tell us about the love affair you have with Michigan football and the big house.

Raymond Ikola: Well, I went to all the football games when I was a student, of course and then I didn't go to a Michigan football game for years and years and then one year, I was going to the University Illinois to interview with the law school -- interview students on behalf of the firm I was with and I thought, since I'm going back to the Midwest for this interview, the timing was right that I thought I could swing by Ann Arbor and see a Michigan football game. I thought that'd be kind of cool.

So, Jen went with me. So we went and saw I think Michigan played Wake Forest that game and so, I thoroughly enjoyed it. I came back and I thought, it's hard to get individual tickets at face value. So maybe I should just get a season ticket. I get back a couple times a year, that's all fun. So I applied for a season ticket. It took me six years before I got my season tickets and so, I've held season tickets now for Michigan football for I think this is my 26th year and I just thoroughly enjoy the whole atmosphere, the whole experience. It's just so much fun going to a college football game on a big stadium like Michigan's.

Kathleen O'Leary: Yes, the rain or sleet or snow doesn't make any difference to you, does it?

Raymond Ikola: Oh, I've sat through some pretty awful weather, sleet, snow.

Kathleen O'Leary: I know. Bob Jameson has a famous video of the two of you sitting, watching a Michigan football game as the players were making snow angels on the field.

Raymond Ikola: That was after the game, yeah.

Kathleen O'Leary: Anything else that we should cover that we haven't covered. I mean, we could talk about all the memorabilia you have in your chambers from Michigan, but then that would take another hour or so. I think we'll skip that but anything else you want to tell us about your career?

Raymond Ikola: Couple of other committees maybe I served on, the Appellate Advisory Committee to Judicial Council. I chaired that committee for I think three years working with all the Appellate rules court and then the California Civil Jury Instruction Committee, very satisfying committee. I served on that for nine years, very good experience.

Kathleen O'Leary: That's kind of like diagramming sentences. It's very engineer-like I think.

Raymond Ikola: I don't know but that pretty much tells the story of my career.

Kathleen O'Leary: Okay. Well, thanks for sharing your story with me and I hope that this will illuminate, your career for anyone who chooses to watch the video. I think you're a person who's extremely well-educated. Although the education never ends with you. You're always learning new things. You're always inquisitive about something new. You have so many

talents and interests and yet, you're comfortable in a symphony hall and yet you're also comfortable to sitting in the snow at a Michigan football game. You really are I think a renaissance person and despite all of these attributes, you're one of the most self-effacing people I know. Thank you so much for sitting for this interview. And go blue.

Raymond Ikola: Go blue.