

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Sandra Margulies: I am Justice Sandi Margulies, and I am here today to interview my former colleague and friend Justice Terry Bruiniers, and this is for the purpose of the [Appellate Court] Legacy Project. Let me start out with an easy question: Where were you born?
- Terence Bruiniers: I was born in Detroit, Michigan, where I lived for less than a year.
- Sandra Margulies: And why did the family relocate to California?
- Terence Bruiniers: Well, it was at the end of the Second World War. People were looking for jobs. My dad found a job with what was then, I guess, Pacific Bell in California and decided to come out here, so packed us all up, stopped in Kansas to pick up my grandmother, and we came to California.
- Sandra Margulies: Now when we talk of “all,” there are six siblings?
- Terence Bruiniers: Well, one of my sisters passed away, but yes, there were seven kids in the family.
- Sandra Margulies: Where did *you* fall?
- Terence Bruiniers: I’m the oldest of the seven.
- Sandra Margulies: Oh, you’re the oldest? Oh, I didn’t know that. Where are your other siblings located these days?
- Terence Bruiniers: Well, let’s see, I’ve got one brother who is up in this area, up in Stockton, and then the rest of the family stayed in Southern California.
- Sandra Margulies: Whereabouts in Southern California?
- Terence Bruiniers: Well, I grew up in a little town called La Verne, which is about 30 miles southeast of L.A. It’s out near the Claremont Colleges.
- Sandra Margulies: How long did you live in Southern California?
- Terence Bruiniers: I grew up there. I was there until I came to Cal [University of California, Berkeley].
- Sandra Margulies: Oh, so that’s what got you up north?
- Terence Bruiniers: It got me up north, is when I came to Cal.
- Sandra Margulies: Why did you pick Cal? Why not UCLA—my alma mater?
- Terence Bruiniers: Well, I actually came up here with a friend and we went to look at Stanford because he was interested in Stanford, and we decided, while we were here, we would come to Berkeley at the same time. And it was farther away from home.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Sandra Margulies: So, did your mother work inside the home?
- Terence Bruiniers: For the most part, yeah.
- Sandra Margulies: What specifically did your father do for Pac Bell?
- Terence Bruiniers: Gosh. Again, he was with them until he retired. I think he started out as a lineman for Pac Bell and then became an installation supervisor, and then, at the end, he was working downtown Los Angeles in commercial telephone installations and that sort of thing.
- Sandra Margulies: So, you come up to Cal. What was your major?
- Terence Bruiniers: Well, I started out as a physics major in my freshman year and decided after my second year of calculus that that was a bad idea [*laughs*]. So, I ended up being a political science major.
- Sandra Margulies: Yes, I've heard this story before from others [*laughs*]. And, while you were at Cal, is that when you met Susan, your wife?
- Terence Bruiniers: I met Sue—we were both at Cal. We were actually both working at the same north campus restaurant over at La Val's. She was working as a waitress and I was tending bar, and that's where we met. Then, we actually ended up having a couple classes together at Cal.
- Sandra Margulies: So, when did you get married?
- Terence Bruiniers: I got married in August of 1969.
- Sandra Margulies: When was your daughter born?
- Terence Bruiniers: She was born in 1977, so we waited a while.
- Sandra Margulies: So, did we. Where does your daughter live now?
- Terence Bruiniers: She's in Denver, Colorado.
- Sandra Margulies: And she's married?
- Terence Bruiniers: She is. We've got two great grandchildren, Landon who is five and Madeline who is three.
- Sandra Margulies: You recently went with the family to Hawaii, or you took them to Hawaii?
- Terence Bruiniers: We took them to Hawaii in February, so we had a nice couple of weeks over there.
- Sandra Margulies: Did Sue work in the home, outside the home, both?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: Sue was working, she worked for, gosh, I don't know how long. She was the executive secretary of the Boalt Hall Alumni Association. She worked there for a number of years until she retired from there, and I'm trying to remember what year she retired; I just don't recall.
- Sandra Margulies: Was she working there while raising your daughter—while both of you were raising your daughter?
- Terence Bruiniers: She worked until Lisa was in high school and then she retired and stayed home after that.
- Sandra Margulies: Now, Lisa went to law school, right?
- Terence Bruiniers: Went to Golden Gate.
- Sandra Margulies: But as I understand it, she's not practicing.
- Terence Bruiniers: She is not practicing, no. Right now, the three-year-old keeps her busy enough.
- Sandra Margulies: I bet. So, you went to high school in Southern California. Was it La Verne high school?
- Terence Bruiniers: No, I went to a Catholic boy's school. It was Don Bosco Technical in San Gabriel, which was an experimental program at the time. They had both college prep and a tech curriculum, as well. So, I did that.
- Sandra Margulies: Did you like going to an all-boys school?
- Terence Bruiniers: In some ways, yes; in others, no. But I guess with the benefit of the passage of time, it's not as bad.
- Sandra Margulies: Now, we talked about that you went to Cal, and you graduated with a political science degree. When did you graduate?
- Terence Bruiniers: Well, I started in 1963. I took a year off after my sophomore year to kind of figure out what I really should be doing. Then, when I came back to school, once I started working at the police department, I had to take a lighter load. So, I ended up—my class would have been '67; I graduated '69.
- Sandra Margulies: Then you went to law school.
- Terence Bruiniers: I went to Boalt—well, Berkeley Law.
- Sandra Margulies: Now we call it Berkeley Law, but to you and I, it's Boalt. Why did you decide to go to law school?
- Terence Bruiniers: It's funny, I had never really had any interest in law, and then one of the classes I took when I came back to Cal was an undergrad class in

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

constitutional law, taught by Professor Charles Aiken. That really got me interested in that, and then when I went on to the police department, I spent a lot of time in court and decided that's probably what I wanted to do. So, that got me interested in law school.

Sandra Margulies: Now, did you apply anywhere else besides Boalt?

Terence Bruiniers: Actually, I did. I did my first year at Hastings.

Sandra Margulies: Oh, you did? Okay, and then you transferred?

Terence Bruiniers: I did my first year at Hastings and then I transferred to Boalt after that.

Sandra Margulies: You graduated Order of the Coif.

Terence Bruiniers: I did.

Sandra Margulies: You want to explain what that means?

Terence Bruiniers: Just top 10 percent of the class.

Sandra Margulies: Did you participate in law review?

Terence Bruiniers: I did not. I qualified for law review at Hastings after my first year, and then when I transferred to Boalt, I guess I could have written my way in on that, but decided not to, so I did not.

Sandra Margulies: When you were at law school—and I know you were really busy working in addition to going to school—were you a member of any organizations there?

Terence Bruiniers: No, I really didn't have any time to do it. So, between classes and working, it was—

Sandra Margulies: It was a little much.

Terence Bruiniers: Yeah. We did have a program where we got school kids' classes together to do mock trials, and these are fifth and sixth graders. That was my community service, I guess.

Sandra Margulies: Did you have any idea when you were in law school that you might want to be on the bench?

Terence Bruiniers: Absolutely not. And I really had—when I first was practicing at the DA's office, I had no interest at all in going on the bench. I was enjoying what I was doing.

Sandra Margulies: Did you have any favorite professors or courses at Boalt?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: Well, even though I never practiced in estates and trusts, Ed Halbach—who was the dean there—became a good friend because Sue worked with him, as she was the executive secretary of the Alumni Association. So, we got to know the Halbachs pretty well.
- Sandra Margulies: So, I want to now talk about your occupation while you were attending law school, which was, you were a member of the Berkeley Police Department.
- Terence Bruiniers: I was.
- Sandra Margulies: For what period of time were you a member?
- Terence Bruiniers: Joined in September of 1967, and I left when I did my—. When I went to Hastings in 1970, I resigned from the police department, and then there were a variety of factors. After my first year at Hastings, the department was short-handed. They brought me back for the summer, and then they offered me part-time employment while I was finishing school. So, I finally left the department when I went to the DA's office. So, I left the department ultimately in June of '73.
- Sandra Margulies: Now, why did you decide to become a member of the Berkeley Police Department?
- Terence Bruiniers: Easy: I was broke. I was the oldest of seven kids. My folks paid for college for my first couple years; then, when I came back, I really shouldn't be asking them to do that—that's why I was tending bar at La Val's and doing things of that sort—but the money was a little tight. From my bartending activities, I knew one or two of the Berkeley cops that I got to know fairly well. Then they had this recruiting campaign. I remember at the time, the poster said, "40 tough jobs for 40 gentlemen" and they were paying \$872 a month, which was a fortune—to me, at least, at that time. So, I figured, well, I can work at night, and I can go to school during the day. It was a little more demanding than I thought it was going to be, but that's how I ended up there.
- Sandra Margulies: Were you working there during what we would call interesting times—protests, People's Park—I assume?
- Terence Bruiniers: People's Park, I was there.
- Sandra Margulies: Oh, you were at People's Park?
- Terence Bruiniers: Oh, absolutely.
- Sandra Margulies: So, for those who may watch this video and are unfamiliar with People's Park, why don't you go ahead and explain what we're talking about.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

Terence Bruiniers: People's Park is just a couple acres of dirt—well, it's a little more than that now, but it's a couple acres of land just off of Telegraph Avenue, between Haste and Dwight Way. It had been vacant for so long; the university was going to build housing there. They never did, and it became just an encampment. The street people just took it over. So, it was a matter of months, but it was growing and growing and growing. The university finally decided they were going to do something with the property. So, they brought Berkeley Police, university police, sheriff's office in to clear the park, and we did that at like 11 o'clock at night, and then they put a fence around it. But they left a couple squads of people—I was on a special squad at the time—and they had probably a dozen of us, and a couple CHP squads to hold the intersections at Dwight and Telegraph and at Haste and Telegraph. I was at Haste and Telegraph. All of the extra police that were there overnight they started sending home, and I said, "That's not going to end well," because—as you would expect—at noon there was a rally in Sproul Plaza, which a friend, Dan Siegel, who was later a classmate of mine at Boalt, as a matter of fact—

Sandra Margulies: Who is a practicing attorney, I believe.

Terence Bruiniers: He still is, I believe.

Sandra Margulies: Yes, he is.

Terence Bruiniers: So, told the crowd, "Let's go take the park!" and you can hear the roar go up. So, you look down Telegraph Avenue toward campus and you can see the crowd coming down. At the time, I said, "This is going to end badly." We did manage to control it until reinforcements got there, but it was a couple of weeks of riots after that. So, it was pretty bloody.

Sandra Margulies: So much for what you thought would be a quiet evening at night duty.

Terence Bruiniers: No, I assumed it'd be a quiet evening; I did not assume it was going to be a quiet *day*. But it was quite the day.

Sandra Margulies: Besides dealing with protests at UC Berkeley, what other duties did you have, or experiences, with the Berkeley Police Department?

Terence Bruiniers: Well, let's see, when I started, I worked patrol, and I was working at night and for the most part—then, with seniority, you work through to the day shift. I had worked—this was called the Fourth Platoon. It was called Patrol Special Detail, so you had a platoon of officers who worked different hours, different times, plain clothes sometimes, uniform sometimes. So, I did that for a while, and I was doing that at the time of People's Park. Then, when they asked me to come back—they were short-handed anyhow—they put me in the detective division. So, I was working essentially half-time back there and rotating between homicide and burglary and anything they were short-handed on.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Sandra Margulies: How would you describe your experience with the Berkeley Police Department? Excuse me, can we go off for just one second. [*Interview paused.*] So, we were talking about what your experience was like.
- Terence Bruiniers: It was great. It was certainly interesting times in Berkeley, so I was proud of the job we did. Coming from—I was a kid from a middle-class family in Southern California into police work was definitely an adjustment. It tends to make you a little cynical, but it was a breadth of experience that I'm glad I had.
- Sandra Margulies: Now, I assume your fellow law students, some of them, knew what you did in the real world?
- Terence Bruiniers: Most did, I think, not everybody, but most did.
- Sandra Margulies: Did that create any sort of negative reaction from them?
- Terence Bruiniers: Actually, surprisingly not. I mean, certainly there were a number of people that would be certainly considered significantly left of where I was, but I never had any negative—at least, no direct negative—reaction. I mean, people, I think, were a little intrigued by it. Occasionally, I'd show up for class and I'd have a gun in my briefcase.
- Sandra Margulies: So, I have to bring this up because I read about this in an article about you that there was student voting, and how did you show up to the student polling location?
- Terence Bruiniers: This was in the aftermath of People's Park, and it was probably a couple weeks later, but we were still patrolling in four-person squad cars, and—this went on for almost two weeks, almost to Memorial Day, I guess—there was a student election, and we were in a four-person squad and had our ride gear on. We were driving down Bancroft and I noticed there was a student polling place right there in the plaza next to Boalt. So, I told the driver, "Stop for a minute." I still had my student ID card with me. So, I said, "I'm going to go vote." So, I walked up, presented my ID card, and voted in the student election.
- Sandra Margulies: Did you receive any reaction or funny looks?
- Terence Bruiniers: Oh, yeah, there were some stunned looks on people's faces when I was doing it.
- Sandra Margulies: So, how did you manage to balance working and going to law school?
- Terence Bruiniers: It was a challenge. It was a challenge. But when I first started at Cal, I was a kid with no real self-discipline—you know, 17 years old when I started Cal—and I wasn't really working at what I was doing. I wasn't really enjoying it, in any event. That's why I think kind of the best thing that

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

happened to me was Marine boot camp. I mean, this was in the middle of the Vietnam War, so—

Sandra Margulies: And, just to clarify, you also—in between everything you were doing—you became a Marine reserve?

Terence Bruiniers: During that year I took off, I figured that if I didn't join the reserves, the result was pretty clear. I mean, I had friends going to Vietnam all the time. So, I joined the Marine Reserve. I did six months of active duty and then six years of reserve time. But, for a 19-year-old kid, Marine boot camp was a very good thing.

Sandra Margulies: So, it sounds like it provided you with discipline or disciplinary skills.

Terence Bruiniers: It provides you with some self-discipline and that kind of helped when I am trying to juggle class—I mean, I think I probably did better in law school than I would have if I hadn't been working.

Sandra Margulies: Yes, I actually understand that, speaking from personal experience. So, you're working at night, and you've got classes during the day?

Terence Bruiniers: Yep.

Sandra Margulies: When were you sleeping?

Terence Bruiniers: Well, undergrad I was really working at night and going to school during the day. And, when I was at Boalt, my hours—because I was working half-time—were flexible, so I could set my own schedule. So, what I'd do is—I wasn't really working nights, very rarely would I have to work nights—I'd finish classes, go down to the police department, work for a few hours, and go home.

Sandra Margulies: So, you graduated from law school, you have to take the bar exam. Where did you take it?

Terence Bruiniers: I took it here in San Francisco—took it over at the Masonic Hall.

Sandra Margulies: You passed the bar.

Terence Bruiniers: I passed the bar.

Sandra Margulies: Now you have to get a job. Where did you get that job?

Terence Bruiniers: Alameda County District Attorney's office. That was my focus, that's where I wanted to work. I mean, I knew people there obviously because—having been in court and having testified—I worked with a lot of DAs there, but that was my focus. That's where I wanted to work.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Sandra Margulies: You certainly had a step up on others because at least you knew the Penal Code sections.
- Terence Bruiniers: I had a little practical experience with that.
- Sandra Margulies: So, you joined *the office*, as we call it, in . . . ?
- Terence Bruiniers: I think—was it October or September when we got the bar results? It was within a week of getting the bar results.
- Sandra Margulies: What year was that?
- Terence Bruiniers: That's in 1973.
- Sandra Margulies: That's where you and I met, was in the Alameda County District Attorney's Office.
- Terence Bruiniers: Right.
- Sandra Margulies: So, what did you start out doing there?
- Terence Bruiniers: Well, my first assignment was in the juvenile, out at 150th.
- Sandra Margulies: Um-hum, San Leandro.
- Terence Bruiniers: I was out there with Walt Brown.
- Sandra Margulies: Yes, who ran juvenile for many, many years.
- Terence Bruiniers: And from there I went to Oakland Muni.
- Sandra Margulies: Yes.
- Terence Bruiniers: And I was there until I went to the superior court.
- Sandra Margulies: I called Oakland Municipal Court "trial by fire."
- Terence Bruiniers: It definitely was. As I said again, it's show up, get your file, and go to court.
- Sandra Margulies: That's right, and sometimes you're reading the file as you were walking to court.
- Terence Bruiniers: Well, that's because you got a handoff from somebody else.
- Sandra Margulies: That's correct, I remember all of that [*laughs*]. So, how long were you in the municipal court system before you went to do felonies in superior court?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: I'm trying to remember—I think it was, all told, around 18 months to get to superior court at that time, because at that point, it was pretty much seniority. So, I think it was around 18 months.
- Sandra Margulies: So, you got to superior court, and I assume you were at the courthouse in Lake Merritt?
- Terence Bruiniers: Yeah, I was there the whole time—I never went out to South County.
- Sandra Margulies: So, what kind of cases did you start trying in superior court?
- Terence Bruiniers: The way we had the trial team set up then, you got pretty much everything, from run-of-the-mill burglary, sexual assault, homicides. We didn't have, at that point, specialized teams—we didn't have sexual assault teams, things of that sort.
- Sandra Margulies: There wasn't a Team 5 or Team X or something like that.
- Terence Bruiniers: Well, we had the trial teams numbered but I think we had like four trial teams, something like that. I was on Tom Orloff's team for a while.
- Sandra Margulies: Oh, that's good. So, did you try any capital cases?
- Terence Bruiniers: I tried two.
- Sandra Margulies: And what were those?
- Terence Bruiniers: One was—first one I tried—was a kid who was just 18. It was a pretty brutal, vicious murder. It was a woman in her late 80s, I think. Rape and stabbing, so, it was one case where the evidence was clear—there were three people who did it. He was the only one that (*indiscernible*; 00:24:19) was life without . . .
- Sandra Margulies: . . . possibility of parole?
- Terence Bruiniers: Possibility of parole verdict—although, given his age at the time, I don't know. Then, the second one I had was a death verdict and that was the *Heishman* case.
- Sandra Margulies: Just briefly, why don't you go ahead and tell us about that.
- Terence Bruiniers: He murdered a woman that he had raped to keep her from testifying against him—murdered her just, I think, the night prior to the preliminary hearing where she would have testified.

00:25:00

- Sandra Margulies: Do you remember who was the opposing counsel in that case?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

Terence Bruiniers: Oh yeah, Hal—

Sandra Margulies: Not Hal Friedman?

Terence Bruiniers: Yeah.

Sandra Margulies: Hal Friedman.

Terence Bruiniers: Hal Friedman was the opposing counsel.

Sandra Margulies: I assume he had backup counsel, right? There were two of them.

Terence Bruiniers: You know, I'm trying to remember who worked with him on that issue.

Sandra Margulies: It doesn't matter. The point I was getting to was, you did it by yourself whereas, defense counsel, there were two.

Terence Bruiniers: Yeah, typically, yes.

Sandra Margulies: Yeah, it was very typical. I don't know if the district attorney's office still does it that way, but there was no backup.

Terence Bruiniers: Exactly.

Sandra Margulies: Do you remember who your investigator was, out of curiosity?

Terence Bruiniers: Yeah, Dick Perdee (00:25:39).

Sandra Margulies: Oh, very good. The other case I wanted to talk to you about was the Justice Paul Halvonik case, and why don't you just go ahead and tell us about that?

Terence Bruiniers: Oh, that was one that I remember I was—at that point, I think I was a supervising deputy down in Oakland Muni, as a matter of fact.

Sandra Margulies: Yeah, I think you were supervising the Muni.

Terence Bruiniers: One of the police officers came to me to ask about getting a search warrant, and I said, "Okay." And he said, "Well, you should know this is a judge, a justice."

Sandra Margulies: Here in the First District Court.

Terence Bruiniers: Here in the First District. I said, "Well, so, show me what you got." So, he actually—the officer had gone to the house because Debbie Halvonik, Paul Halvonik's wife, had reported a burglary.

Sandra Margulies: This was at the Hiller Highlands condominiums, right?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: It was in the Oakland Hills. I don't remember whether it was Hiller or not, but it was the Oakland Hills. In investigating the burglary, [he] was in the house. I don't know if it was—I think they had like a Betamax tape machine stolen or something like that. He saw marijuana plants in the house and some marijuana seeds, so they really weren't being too careful about keeping it hidden. So, the beat officer reported it to the narcotics officers. They went out. The officer told him he saw marijuana plants growing on the back deck of the house. They went down below, took some pictures up with a telephoto lens of marijuana plants growing on the deck. So, I helped them do the warrant—I don't remember who issued it—but they went to the house, recovered the marijuana plants. So, I was still in open meeting when the case came—they charged the case, it came through, and I did the preliminary hearing, which drew a fair amount of media interest, for a preliminary hearing. So, we put on more than a bare-bones PX at that point.
- Sandra Margulies: Did you follow the case in the courthouse?
- Terence Bruiniers: Yeah, I did.
- Sandra Margulies: That's what I thought.
- Terence Bruiniers: Yeah. Lowell said that would be a vertical prosecution, so—
- Sandra Margulies: That was Lowell, D. Lowell Jensen, who was the district attorney of Alameda County.
- Sandra Margulies: So, I came back to the courthouse to try that, and we had a retired Supreme Court justice, I'm trying to remember who it was now—frankly, I'm drawing a blank—who'd been assigned to try the case. We got a lot of pretrial publicity. We went through a lot of motions. We had [Ephraim] Margolin to . . .
- Sandra Margulies: Didn't you have Penny Cooper?
- Terence Bruiniers: Penny Cooper was there, [Ephraim] Margolin was there. Literally, on the morning of trial—we had a jury panel ready to go—Halvonik entered a plea.
- Sandra Margulies: Did he plea to a felony?
- Terence Bruiniers: No.
- Sandra Margulies: A misdemeanor?
- Terence Bruiniers: No, he pled to misdemeanor possession. Actually, wait a minute, I am trying to think back now whether that was even a wobbler then.
- Sandra Margulies: I don't remember.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: I don't remember either.
- Sandra Margulies: But anyway, he pled. Placeholder.
- Terence Bruiniers: He pled guilty and then ended up resigning from the court.
- Sandra Margulies: And the case against his wife was dismissed?
- Terence Bruiniers: Well, she had taken diversion early on.
- Sandra Margulies: Oh, she had? Okay.
- Terence Bruiniers: Yeah, I mean their approach was always to have her try and take the wrath from that. I mean, one of the interesting parts of doing the preliminary hearing is that, at the preliminary hearing, both Paul Halvonik testified and Justice [William] Newsom testified.
- Sandra Margulies: Which, as we know, is very unusual because normally someone charged with a criminal offense does not testify at the preliminary hearing, because you don't want to give up what your defense is.
- Terence Bruiniers: Yeah. So, Justice Newsom was essentially trying to give him a bit of an alibi that he and Debbie had split at the time, that Halvonik was living with Newsom. In any event, I think they were trying to put as much pressure as they could onto the poor preliminary hearing judge to see if they could get the case tossed out at the PX level—that was Ken Kawaichi.
- Sandra Margulies: And he didn't toss it out.
- Terence Bruiniers: No, but I said, that's why we put on more than a bare-bones preliminary hearing.
- Sandra Margulies: So, what other assignments did you have while you were a member of the Alameda County District Attorney's Office?
- Terence Bruiniers: Well, let's see, again, I've worked juvenile, I worked down in Oakland Muni initially trying cases down there. I went up, spent a year at the courthouse, trying felonies up there, went back down to Oakland Muni to be a supervising deputy for a while, and then back to the courthouse. Again, a little bit of everything while I was there.
- Sandra Margulies: So, you decided to leave the district attorney's office in what year?
- Terence Bruiniers: 1980.
- Sandra Margulies: And why did you decide to leave?
- Terence Bruiniers: Well, I took a look around and decided I certainly was never going to be district attorney of the county. So, we had a number of people lined up as

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

potential successors to Jack Meehan at the time. My future in the DA's office is going to be doing effectively what I'm doing now, so if I'm going to try anything different—try something else—I better do it now or my opportunities to do it are going to run out. And I had an offer from a friend of mine to join his firm here in the city.

Sandra Margulies: And the name of the firm was?

Terence Bruiniers: Farrand Cooper.

Sandra Margulies: It eventually became Farrand, Cooper & Bruiniers.

Terence Bruiniers: Yes.

Sandra Margulies: So, did you join as a partner?

Terence Bruiniers: No. No, I came in as associate and then I was a—they made me a partner after about a year over there.

Sandra Margulies: How long were you with the firm?

Terence Bruiniers: Well, I was there until I was appointed to the bench, so I started in January of '81 and was appointed to the bench in October of '98—or I was sworn in in October of '98.

Sandra Margulies: What kind of cases did you handle?

Terence Bruiniers: Again, it was a general business practice, so I was the only one in the firm that did any litigation, so if we had any litigation to be done, I would do it. We had a specialty in practice before the Federal Communications Commission, so I did the hearing work at the FCC. We did primarily real estate and general business work, so I did the transactional end, and I did the litigation end, too.

Sandra Margulies: Is this where you started developing an interest in technology?

Terence Bruiniers: Well, actually, I developed that because we had a client who was a computer manufacturer. So, kind of a long story, but in any event, we had some clients that were in Hong Kong and were investing in this company. They asked us to represent the company. I became general counsel for the company. So, learned a little bit about computers as we went along. I had a background in electronics from high school, anyhow, so I had a little background in that, but I figured, if I am going to be general counsel for the company, I should know a little bit about the product.

Sandra Margulies: Yeah, what you're dealing with.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

Terence Bruiniers: And then, when I was managing partner of the firm, in my rotation, I computerized our firm, got the computers for us. I actually went down and built them myself and put them together myself for the firm.

Sandra Margulies: Did you run into any resistance to computerizing the firm?

Terence Bruiniers: Actually, not internally. We were a small firm—yeah, so I think the most we ever had was 10 lawyers. So, everyone kind of understood the necessity of what we needed to do to move the firm forward.

Sandra Margulies: The firm was located in San Francisco?

Terence Bruiniers: Yeah, originally up on Sutter Street and then later down on Montgomery in the Russ Building.

Sandra Margulies: So, while you were practicing law with the firm, were you a member of any organizations or committees—anything like that?

00:35:05

Terence Bruiniers: Not really, no.

Sandra Margulies: You weren't a member of the—was it the Business Lawyers?

Terence Bruiniers: ABTO?

Sandra Margulies: Yeah, ABTO, thank you.

Terence Bruiniers: [Association of] Business Trial Lawyers? No, I mean I actually probably should have been, but I wasn't at the time.

Sandra Margulies: So, you decided to apply to the Contra Costa Superior Court bench. Why?

Terence Bruiniers: You know, I'm trying to think back to what really was the catalyst for that because, again, I'd never been particularly interested in applying for the bench—I didn't even know how to do it. I think it was Tom Orloff's campaign kickoff dinner, and I was talking to a number of people we both know on the bench, Rod Rolefson, a couple of people, about what they were doing, whether they enjoyed it. That was the first time I actually thought about doing it, and then I realized I didn't even know how to do it. I didn't know how to go about it. So, I had to start kind of looking around, figuring out what the Personal Data Questionnaire was.

Sandra Margulies: Yeah, the PDQ.

Terence Bruiniers: The PDQ. So that was kind of the catalyst, I guess. Again, it was one of these things where you're staging your career and you say, "Well, I'm

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

happy with what I'm doing, but am I going to be happy doing this five years from now?"

Sandra Margulies: So, who appointed you to the Contra Costa Superior Court—which Governor?

Terence Bruiniers: Pete Wilson.

Sandra Margulies: When you were first appointed—what year, by the way, did you start on the Contra Costa Superior Court?

Terence Bruiniers: 1998.

Sandra Margulies: What was your first assignment?

Terence Bruiniers: Well, my first assignment—and this was just immediately after court consolidation—I had applied for the superior court, I was appointed to superior court, but they sent me down to the Richmond—what was the old Richmond Municipal Court. And I was there all of maybe two weeks—I hadn't even unpacked my boxes yet—and they needed someone to try an extended civil case. We had a case that—I guess they were already two weeks into it and trial judge became seriously ill and ultimately passed away. It was clearly going to be another two, three weeks of trial. So, they didn't have anybody that was free to try it, and they asked me if I would pick it up and try it. So, I spent a few days reading transcripts and then tried the rest of the case.

Sandra Margulies: So that was your first experience as a judge trying a case.

Terence Bruiniers: Actually, not—no, because the very first day I showed up down in Richmond, and again, before I even had my boxes unpacked, my clerk walked in with a file and said the jury panel will be here in 15 minutes.

Sandra Margulies: It sounds like back being in the DA's office, doesn't it?

Terence Bruiniers: Yes, exactly. That was my first trial.

Sandra Margulies: Do you remember what it was about?

Terence Bruiniers: Yeah, it was a homeless woman who was clearly mentally disturbed, who had—it wasn't a BART police officer, it was a BART attendant who was trying to get this woman off of a train after it had reached the station in the middle of the night, and she had spit on the officer. So, they charged her with assault.

Sandra Margulies: Did she get convicted, if you remember?

Terence Bruiniers: No.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

Sandra Margulies: So, you have that short trial and now you have to step into the middle of the civil trial.

Terence Bruiniers: Yeah, superior court civil trial.

Sandra Margulies: How was your adjustment to that? Did you find it difficult? Did you just get through it very smoothly, without any bumps?

Terence Bruiniers: Well, I wouldn't say without any bumps, but I think it went fairly smoothly. The attorney seemed satisfied. But that was an interesting experience—walking into the middle of this trial and it was an insurance bad-faith case with some local personalities who were fairly well-known. It was an interesting experience. I actually enjoyed doing it.

Sandra Margulies: So, speaking of adjustments, how would you describe—did you find it to be a difficult adjustment going from the practice of law to being a judge? In other words, did you find the transition challenging or difficult?

Terence Bruiniers: I guess the first couple of months, the first couple of trials, it's hard to kind of separate your advocates role. You're thinking of the case in kind of those terms: *If I were doing this, I would do that*. I think it takes a little bit to kind of move your mindset away from being an advocate.

Sandra Margulies: Can I ask you—did you ever, sitting as a judge, have a situation where a case is being tried, whether it's criminal or civil, and the witness—as we used to say—was obviously going sideways, and the attorney who is asking the questions was somewhat befuddled or surprised by the answers he or she was getting? And did you have the reaction, *Thank goodness it's not me anymore*?

Terence Bruiniers: Yes, absolutely, absolutely.

Sandra Margulies: So, after you got through the civil trial, where were you assigned?

Terence Bruiniers: I went back down to Richmond for I guess four or five months and then did my family law assignment, so I came back to Martinez to do family law for a couple years.

[41:32]

Sandra Margulies: What other assignments did you have?

Terence Bruiniers: I did family law, then moved to direct-calendar civil court. I did that for a couple years. Moved from there to the complex litigation court—did *that* for a couple years—then served as presiding judge.

Sandra Margulies: Was that one or two years?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: It's two years. Well, it's actually—it's a year as APJ—
- Sandra Margulies: Right, administrative presiding judge—
- Terence Bruiniers: Then a year as presiding judge. Then, from that, went to a criminal calendar and, about that time, got appointed to the Court of Appeal.
- Sandra Margulies: What was your favorite assignment on the superior court?
- Terence Bruiniers: I loved the complex litigation court. That was great because it was a direct calendar, so you had complete control of the case, from start to finish. You had interesting cases, good lawyers, and you had a reduced caseload because of the complexity of the cases. So, that was the perfect assignment, I thought, on the court.
- Sandra Margulies: So, describe for me what it was like to be presiding judge of the Contra Costa Superior Court.
- Terence Bruiniers: Well, as many of my colleagues have said, it's like herding cats, right? You're trying to organize people that don't particularly appreciate being organized, but I enjoyed it. I had the ability to kind of see what direction you hoped the court was moving in, and certainly my predecessor and I had kind of the same worldview on what we ought to be doing. We were still, then, kind of assimilating the difference: so the consolidation of the old municipal courts with the superior court was not completely smooth in *any* jurisdiction, so there were some difficulties with that, and cultural differences that just took some time to overcome.
- Sandra Margulies: So, you decided to apply for the Court of Appeal.
- Terence Bruiniers: I did.
- Sandra Margulies: Why?
- Terence Bruiniers: I think the only reason that I applied—and I don't think I would have otherwise—is that Barbara Jones, who was a PJ in Division Five, had called and asked me to fill in pro tem, and so I did a pro tem stint here for seven or eight months and thoroughly enjoyed it. I mean, I honestly didn't think I would, but it was an opportunity I couldn't say no to, so I got here and decided I actually enjoyed it and decided to apply.
- Sandra Margulies: So, Barbara Jones was, at that time, the presiding justice in Division Five. Did you know her before she called you?
- Terence Bruiniers: I did not.
- Sandra Margulies: Interesting. Now, do you why she picked you?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

Terence Bruiniers: Well, I think one of my former colleagues, Pat Sepulveda, may have recommended me.

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Sandra Margulies: Yeah, my good friend Pat. So, you did the Personal Data Questionnaire, you went through the JNE [Judicial Nominees Evaluation] Commission, you interview—which Governor nominated you to the Court of Appeal?

Terence Bruiniers: Arnold Schwarzenegger.

Sandra Margulies: And when were you confirmed to the Court of Appeal?

Terence Bruiniers: In June of 2009.

Sandra Margulies: And you went to Division Two?

Terence Bruiniers: No, Division Five.

Sandra Margulies: Five. You know, I always call five two and I don't know why. But anyway, you went to Division Five.

Terence Bruiniers: I did.

Sandra Margulies: Who were your colleagues?

Terence Bruiniers: Henry Needham, who I'd known for years, obviously; Mark Simons, who I'd also known for years; and of course, Barbara.

Sandra Margulies: And Henry Needham was in the Alameda County DA's Office at one point, Mark Simons had been in the Contra Costa Public Defender's Office, and then you met Barbara when you—

Terence Bruiniers: Yeah. Well, Mark was on the court. Mark was—

Sandra Margulies: Right, so you met him—that's right. Was he on the court when you were on the court in Contra Costa County?

Terence Bruiniers: Yes, matter of fact, he was PJ at the time he got appointed.

Sandra Margulies: So, how about the transition? How did you find—did you have any difficulty transitioning to the Court of Appeal from the trial court?

Terence Bruiniers: Not as much because I'd been here and done it, but, as you know, it's a lot more quiet here. The biggest change, when I came here on assignment the first time, is the phone doesn't ring, people aren't running in and out of your chambers all the time, you're not jumping on and off the bench.

Sandra Margulies: You have time to think about your issues.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: It's a lot more cloistered.
- Sandra Margulies: Yes. Did you feel more isolated?
- Terence Bruiniers: To some degree, yeah. I mean, I missed working with the lawyers directly, as I did on the trial court. It's just a different pace. You have the luxury of time here that you never have in the trial court; you have colleagues to work with, to discuss matters with, at a more leisurely pace than running down the hall to stick your head in the door and ask somebody a question.
- Sandra Margulies: So, I've done a little research on you. I've talked to my various sources and my understanding is, in Division Five, there was a system of rating the cases from what are considered the less difficult cases to the very complex.
- Terence Bruiniers: Yeah, that's a little cumbersome. We're not doing it anymore.
- Sandra Margulies: No, they're not doing it anymore. But, according to my sources, when you had the meetings selecting the cases, that you generally would pick a very complex case and then write it yourself.
- Terence Bruiniers: Sometimes.
- Sandra Margulies: My sources were very impressed, that's why I asked.
- Terence Bruiniers: Yeah, I always thought the larger cases typically tended to be the more interesting cases—they had more issues, things you could really kind of delve into, and so—I'm not sure my staff always appreciated it—but we tend to take those when we had the choice. And I wouldn't always write them myself, but I would certainly write—I always picked one case to write, just because I enjoyed doing it. I remember, we had one particularly complex one that I kind of broke it up and said, "I'll write this part, you write that part, you write that part."
- Sandra Margulies: So, what did you enjoy most about being on the Court of Appeal?
- Terence Bruiniers: I enjoyed the people I worked with, always. You got good, smart people—they wouldn't be here otherwise. You've got interesting work to do, important work to do. We have a chance to affect the development of the law. I mean, how many people have the chance to do that, right? It doesn't happen all that often but certainly sometimes you can certainly have some impact. It was a wonderful job.
- Sandra Margulies: What achievements and/or cases are you most proud of from your tenure on the Court of Appeal?

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California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: Gosh, in terms of cases, I remember—I looked at your suggestions on topics and I was trying to think about that. The cases sometimes tend to blur. You remember particular parts of things, but I remember I did have one case that unexpectedly kind of turned up in the Supreme Court and it was nice to have the Supreme Court agree with me on a search-and-seizure issue.
- Sandra Margulies: You remember what the issue was?
- Terence Bruiniers: It was what level of information is required on an anonymous tip to justify a traffic stop—this was, *Navarrete* was the case. I think Scalia had a notable dissent in that case, but I thought it was an interesting case and an interesting issue.
- Sandra Margulies: Plus, it went all the way to the U.S. Supreme Court.
- Terence Bruiniers: Well, again, it didn't even stop at *our* Supreme Court, so it ended up there. I remember Nate Shrivela telling me at the time, he said, "That's not a good sign."
- Sandra Margulies: Little did he know.
- Terence Bruiniers: Yeah.
- Sandra Margulies: So, throughout your judicial career, you were very involved in bringing technology to the courts, and I want to talk a little bit about that with you. How did you get involved in trying to bring technology to the courts?
- Terence Bruiniers: Well, I actually had—when I first came on the bench—I had expressed an interest in going on the Court Technology Advisory Committee. So, I got the appointment because, at the time, they had a spot that they opened on a lot of the committees for new judges—to get the new judges involved. So, I was appointed and ended up serving on that committee for almost the entirety of my career.
- Sandra Margulies: Did you actually become chair of the committee?
- Terence Bruiniers: I was chair. I was vice-chair for a while when Ming Chin was the chair, and then after Ming left, I became chair.
- Sandra Margulies: So, let's talk about what was achieved by the committee during your tenure.
- Terence Bruiniers: Well, gosh, I remember when I first came on, everyone was panicked about the Y2K and everybody was putting all their time and effort into that and that kind of went by without a hitch. Then, obviously we got into the infamous CCMS, the California Case Management System. I was obviously intimately involved in that for a long time.
- Sandra Margulies: The purpose of that system was—of the proposed system was . . . ?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

Terence Bruiniers: To develop a unitary case management system for all case types and for all courts across the state.

Sandra Margulies: So, for example, if I was in Alameda County and I wanted to know something about a case in Los Angeles, the idea was . . . ?

Terence Bruiniers: All the information would be entered in a common database with uniform standards for all of that. I was not involved with the inception. There's a long history—and kind of boring—behind that, but this started out as what was going to be the Los Angeles or Southern California case management system, and there was money set aside to do that. Then the politics took over, essentially, and that was never smooth. There were huge conflicts at the time between, for example, the L.A. Superior Court and the AOC. Somewhere in that process—so you've got the Chief at the time, Ron George, and the Governor having their budget meeting and the Governor was complaining about putting all this money into these multiple case management systems around the state. So, the decision was that we would develop the California Case Management System.

Sandra Margulies: Should I say, for a variety of reasons, it didn't happen?

Terence Bruiniers: It didn't happen. Ultimately, the system was finally developed, and it wasn't a matter of technical failure—it was a successful system. As a matter of fact, Orange County is still using a version of that now.

They were going to buy a new system and found it didn't work as well as what they had. So, Orange County essentially is using "CCMS Light," is what we call it. But, yeah, it failed not for technical reasons, it failed politically. It just had too much legislative opposition; it was just never going to succeed. I think that was the problem from the inception, and we were just never able to get beyond it.

Sandra Margulies: So, at least here at the First District Court of Appeal, we've gone paperless. Were you involved in *that* process?

Terence Bruiniers: I was.

Sandra Margulies: How so?

Terence Bruiniers: Well, the appellate clerks had been pushing for a long time to get an e-filing system. So, when I came on, I started working with them and said, "We can do this." And we didn't have any money to do it. So, I came up with the proposal: We will do a no-cost-to-the-court system. We will get the vendors to bid on this. The vendors will make their money from the filers—not from us—and we can be the pilot here in the First District and just do a proof of concept—show it can be done, show that we can get vendors in—and we had, gosh, eight or nine vendors that applied. Then we selected—Peter Siggins and I worked together to write the rules, rules which are still in

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

effect, I think. Then, once we showed it could be done, the other—certainly, the Chief: it was great to have her support. I mean, she supported the effort from the beginning, and it wouldn't have happened without that. But once we showed it could be done and other courts wanted to do it. Again, L.A. had a different idea of what they were wanting to do for a while, but again, we got past that, too.

Sandra Margulies: So, did they buy in eventually?

Terence Bruiniers: Eventually, yeah.

Sandra Margulies: Okay, I didn't know that.

Terence Bruiniers: Yeah.

Sandra Margulies: So, to your knowledge, are all the districts—do they all have e-filing now?

Terence Bruiniers: As far as I know, all the districts are now on e-filing. So, I think everybody was live—by the time I retired, everybody was live on the system.

Sandra Margulies: And a lot of this—as you can see, I have the double screen, so that we can bring up the record on one side and then whatever we're drafting on the other side.

Terence Bruiniers: Well, I mean even before we went paperless, I tried to get my chambers working as much as possible paperless—particularly when you had these voluminous records. I mean having everything in searchable PDF is—

Sandra Margulies: Well, actually you're lucky you're not on the Court of Appeal right now, because with many of us working at least part-time at home without a double screen, I'm coming in here and printing out and taking certain records home. But the paperless system, I think, has worked very well.

Terence Bruiniers: Not popular with everyone.

Sandra Margulies: Yes, not everyone, but on the whole, I think most are doing it. So, you retired from the Court of Appeal. How many years—well, how many years in total were you on the bench?

Terence Bruiniers: A little over 20, but if—divided between the trial court and the appellate court—if you count the time I spent here pro temming, it was pretty much equal: about 10 on each.

Sandra Margulies: Why did you decide to retire?

Terence Bruiniers: Again, it's one of these things where you say, "Okay, I'm happy with what I'm doing now. What about five years from now?" So then, I mean, again it's a job I could have stayed at—stayed doing—for a long time. I joke with

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

Mark Simons he's working for minimum wage, and obviously one of the factors is that our retirement system, JRS II, once you max out at the end of 20 years, essentially you are working for minimum wage. But, if I wanted to do anything else—and I've thought about the private judging, if I wanted to try that—there's a window in which you have an opportunity to do it. So, either you stay and ignore what you're giving up to do that, or you look to doing something else.

Again, I thought I'd have more time to spend traveling and doing things of that sort, and obviously, when Sue became ill, that just didn't happen.

Sandra Margulies: So, which private judging group did you join?

Terence Bruiniers: I joined JAMS.

Sandra Margulies: And why did you select JAMS?

Terence Bruiniers: Well, I was debating between JAMS and ADR Services, both of whom have a very respectable presence in this area, in particular. But I just thought JAMS, as a national organization, gave me some better opportunities to do things like arbitrations, and so I've been trying to focus on doing that.

Sandra Margulies: So, are you doing mediations also?

Terence Bruiniers: Yeah.

Sandra Margulies: Are you doing any appellate advisement or review?

Terence Bruiniers: I've got one coming up next week.

Sandra Margulies: So, do you prefer arbitration, mediation, or does it matter to you?

Terence Bruiniers: Well, I'd say only in the sense that the arbitration is just being a judge, you know; that's what we're used to. It's a little easier doing that, but mediation is settlement.

Sandra Margulies: Are there any particular kinds of cases you're handling?

Terence Bruiniers: I haven't specialized in anything so far, but, you know, general business litigation, employment, things of that sort.

Sandra Margulies: So, how many days a week are you devoting to private judging?

Terence Bruiniers: Well, not as much, well . . .

Sandra Margulies: Not as much as you'd like?

Terence Bruiniers: Not as much as I'd like. The first year I just didn't have the opportunity to do things, and then COVID hit, so—although it's interesting: JAMS in

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

particular was pretty flexible in adapting to remote hearings, so almost everything we're doing at the moment is remote. I would expect, as things to get back to normal, we'll probably have—we'll still have remote participation, but we'll probably have more hybrid hearings.

Sandra Margulies: Now, are you doing the remote arbitration, mediation *at* JAMS or are you doing it from home, or a combination?

Terence Bruiniers: Doing it from home. Yeah, the offices have been closed. They just reopened the Walnut Creek office this past week, and the office here will probably reopen in about a month or so.

Sandra Margulies: So, do you know how long you think you'll keep doing private judging?

Terence Bruiniers: I really don't. Right now, I'm enjoying doing it. One of the nice things about this is that you've got the—I can make the decision any time to stop if I don't want to do it, but at this point I still do. So, I mean you have to do something. I mean, sitting at home and doing—I'm not a golfer, right? So, just kind of sitting around and doing nothing is a good way to turn into a vegetable.

Sandra Margulies: Well, it keeps, what I like to say, the gray cells going.

Terence Bruiniers: Exactly.

Sandra Margulies: So, I want to start wrapping things up by asking you, What was your judicial philosophy, and did it evolve over 20 years?

Terence Bruiniers: Well, it always—I think it has to evolve, but the main thing I wanted—I remember when I started on the bench as a trial lawyer, all the things that you know that you hated about some of the judges on the bench—so you want to have predictability, you want to make sure that people know that they're going to have a hearing in your court, that you're going to listen to what they have to say, and that you're going to make a reasoned determination, whether they agree with it or not. At least, that's one of the things I always wanted to do, particularly here in the Court of Appeal, was that—whatever your decision was—people ought to be able to understand why and how you made that decision. They may not like it, they may not agree with it, but they should at least understand how you got there.

Sandra Margulies: I assume that you wanted your opinions to be logical, organized, and understandable.

Terence Bruiniers: Certainly understandable. Yeah, so that's what I strived for.

Sandra Margulies: Did you remember, in private practice, reading appellate opinions and you were wondering, what are the justices saying?

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Terence Bruiniers: Oh, yeah. Well, I mean, I remember that from law school because you never had the full opinion, you always had these little snippets in there. But yeah, I certainly recall reading cases and just saying, “What are they talking about?”
- Sandra Margulies: So, did you author any dissents in Division Five?
- Terence Bruiniers: Again, I saw it on your list, and I am trying to think how many. I did on literally a handful of occasions: I can’t imagine—four or five at most.
- Sandra Margulies: Do you think dissents serve any purpose?
- Terence Bruiniers: Well, I think they primarily serve a purpose if you’re going to have a published opinion so that, if the case ends up on the A-list at the Supreme Court and people—if this is an issue where there’s a real serious question about the law that the Supreme Court may well decide to take a look at and issue a definitive opinion. I think that’s where they primarily—I mean, hopefully you’re not just venting with a dissent, and I’ve seen a few of those.
- Sandra Margulies: Do you think the role of the judiciary has changed since you first took the bench?
- Terence Bruiniers: I think it has in the sense that—I mean, all institutions have been subject to greater scrutiny and more cynicism. And I think it’s harder to maintain public confidence in the courts than it used to be. I don’t know, I don’t remember, was it 2000? They did a—the judicial branch did a survey and found a pretty high level of public confidence in courts and the impartiality of courts, and I’m not sure you’d quite get that same level today.
- Sandra Margulies: Well, that sort of segues into my next question, which is, What do you think is the current perception that the public has of the courts?
- Terence Bruiniers: Well, you’ve got this kind of hue and cry of institutional racism. So, the courts certainly aren’t exempt from scrutiny on that, and I think that, at least in some segments of the public, that that has some support.
- Sandra Margulies: So, if you had to it all over again in your professional career, is there anything you would have changed?
- Terence Bruiniers: Gosh, I got to think back at the—every step I’ve taken has added something that’s been valuable to me. Starting out in the DA’s office and getting that basis in trial practice and the culture of ethical prosecution. Going into private practice and getting the civil background that I really hadn’t had before was valuable. Then, going on the bench was the best decision I think I’ve ever made. I enjoyed every minute on the trial court, and I enjoyed every minute over here.

California Appellate Court Legacy Project—Video Interview Transcript  
Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

- Sandra Margulies: Did you find anything rewarding about being on the bench?
- Terence Bruiniers: Oh, yeah. I mean, you're making a real social contribution. You're actually getting disputes resolved, having a rule—supporting the rule—I mean, the rule of law is almost a cliché now, but it really is the basis of civil society is the rule of law, and we're the ones that make the rule of law work.
- Sandra Margulies: When you were doing settlement conferences on the trial court, did you feel a real sense of satisfaction when you settled a case?
- Terence Bruiniers: Oh, yeah. As I said, just getting a case resolved. I mean, I tell people now, litigation is the most expensive and inefficient way of resolving any problem. I mean, we have the mechanism and it's important to use it when it needs to be used, but the more cases you can keep out of trial, the better. So, it's certainly not—it's rarely in anybody's interest to have to have a case go to trial if they can avoid it.
- Sandra Margulies: And did you get the same sense of satisfaction upon completing an opinion that you've drafted?
- Terence Bruiniers: Yeah. So, again, I don't know how many—I used to edit myself unmercifully, but every time you read it, you always think: *I could make this better.*
- Sandra Margulies: I totally understand.
- Terence Bruiniers: At some point you have to say, "Enough." But, yeah, to have something that you can take pride in is important.
- Sandra Margulies: While you were on the bench, did you find it inhibited your lifestyle or groups you could participate in?
- Terence Bruiniers: Oh, of course it does. There's a lot of First Amendment rights you give up simply by virtue of being on the bench and things that you'd like to speak about or say something about that you just can't. It becomes so ingrained that even now, when I'm not subject to the same restrictions, I just automatically respond that way or react that way. So, better not to say anything, but yeah, it certainly limits—and, again, your contact with the bar changes when you go on the bench, as well.
- Sandra Margulies: Any other issues or things you want to talk about that we haven't covered?
- Terence Bruiniers: No, no. People have asked me often about what I thought the difference between the trial court and Court of Appeal was, and I always said that on the trial court, no matter what your assignment was—no matter what you were doing—you truly never knew what your day was going to be like, you know, because you had your calendar, you had your sentence, but there was always something.

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Justice Terence L. Bruiniers, Court of Appeal, First Appellate District

Sandra Margulies: You were dealing with human nature.

Terence Bruiniers: You're dealing with human nature. So, on the trial court, you never knew what your day was going to be like; here, you do.

Sandra Margulies: Yeah, your day is pretty well planned out.

Terence Bruiniers: Exactly.

Sandra Margulies: Well, thank you very much. It was just a pleasure interviewing you and this tape or CD will be in the law library for your review or anyone else who wishes to look at it.

Terence Bruiniers: Well, I can't imagine anybody is going to be all that interested, but thank you very much, Sandy. I enjoyed it.

Sandra Margulies: Thank you.

01:12:12