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CJP Requests New Masters in Case of Santa Barbara County Jurist

By KENNETH OFGANG, Staff Writer

The Commission on Judicial Performance has asked the California Supreme Court to appoint three new special masters to hear the misconduct case of Santa Barbara Superior Court Judge Diana R. Hall.

The CJP took the step Wednesday, six days after it took the apparently unprecedented action of halting proceedings after three days of testimony regarding the charges against Hall, a judge for nearly 15 years.

Hall is accused of drunk driving — for which she was convicted in criminal court and placed on probation — filing campaign finance reports in which she allegedly lied about the source of a loan or contribution, and threatening a prosecutor who had her disqualified from a case.

In an order signed by its chairperson, Santa Monica attorney Marshall B. Grossman, the commission said it was necessary to appoint new masters so that the case may “proceed free of questions concerning their fundamental fairness to all concerned.”

The commission based its order on the filing of a declaration in an unrelated civil action in Monterey County. The plaintiff in that case, Eugene Forte, is suing several Monterey Superior Court judges for violating his civil rights, claiming they had him jailed because he intended to file a Code of Civil Procedure Sec. 170.6 motion to disqualify one of the judges from another case in which he was a party.

One of the masters in the Hall case is Monterey Superior Court Judge Michael Fields. Fields is not a defendant in Forte’s lawsuit, but the declaration, by former Monterey Superior Court clerk Crystal Powser, alleges that she discussed the case with Fields and that he told her that he and his colleagues — San Mateo Superior Court Judge Mark Forcum and Santa Clara Superior Court Judge George Abdallah — were convinced of Hall’s culpability, at least on the charge of threatening the prosecutor.

Powser claims she met with Fields in his hotel room in Ventura last Tuesday night — the day before her declaration was filed in the Monterey case — at his invitation and that they discussed the Hall case. She also claims the judge made sexual advances towards her, which she spurned.

The commission emphasized in its order that Powser’s allegations are unproven.

Powser was a clerk at the Monterey court for 16 years, and was involved in a number of high-profile incidents. She submitted her resignation last year, then tried

unsuccessfully to rescind it the next day.

She told the Monterey Herald that she only resigned because she was upset at then-Superior Court Commissioner Richard Rutledge for calling off their engagement and did not want to have to face him in the courthouse. She also said she was mad at supervisors who called her doctor to verify that she had a valid reason for taking a sick day.

Powser also told the newspaper that it was a desire for revenge that led her to complain that Rutledge had fixed tickets for friends and that the two of them had sex in two different courthouses on five occasions during business hours.

Those allegations led to investigations by the district attorney and the Superior Court Executive Committee.

No criminal charges were filed, but Rutledge resigned from the bench hours after the Executive Committee announced it had found good cause to refer the matter to the CJP.

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