

A LEGACY OF SERVICE: REFLECTIONS ON JUDGE WIEBEN STOCK (RET.)

by ROBERT J. COHEN and ALAN SLATER

Brilliant. Compassionate. Courageous. These are the words that come to mind when friends and colleagues think of Judge Nancy Wieben Stock (Ret.) who served twenty-four years on the Orange County Superior Court bench. Revered as an outstanding leader in the legal community, Judge Stock is known for her judicial integrity, professionalism, and strength of character.

During her tenure with the court, Judge Stock was admired and respected by the legal community for her fairness and leadership style. Both as the Supervising Judge of Family Law and Presiding Judge, Judge Stock realized the importance of legal aid services, and ensured the rights of those who were most vulnerable were preserved.

For these reasons, Judge Stock will be honored with the Lifetime Achievement Award at the Legal Aid Society of Orange County's third annual Voices for Justice Dinner to be held on October 20, 2016.

We interviewed Judge Stock's close friends, colleagues, and mentors—Civil Justice Attorney Roy Comer, Judge Francisco Firmat (Ret.), Judge James Gray (Ret.), Wayne Gross of Greenberg Gross LLP, and Thomas Umberg and Dean Zipser of Umberg/Zipser LLP—to share their reflections on Judge Stock's legacy of service.

What are three words you would use to describe Judge Stock?

Roy Comer: She is whip-smart, articulate, and compassionate.

Dean Zipser: Smart, fair, and fun.

Wayne Gross: Professional. She is the epitome of professionalism. Intelligent. Her mental acuity is off the charts, but she also has an extremely high emotional IQ. She knows how to deal with people, which is

extremely important for what she does. Fun. She has a great sense of humor.

Judge Francisco Firmat (Ret.): I'll give you three times thirteen! When Judge Stock retired, I was asked to be one of the speakers at one of her retirement events. I asked about ten private lawyers and several court staff to describe Judge Stock in a few words. Here are the words they gave me: "creative, bril-



liant, unflappable, extremely articulate, optimistic and sees the bright side of things, compassionate, jubilant, selfless, Christian, sage, ethical, diplomatic, gracious, quick-witted, with a good sense of humor, spirited, strength, listener, warmth, integrity, generous, welcoming, unfailingly kind, manifestly classy, super-smart, congenial, fair, and thorough." The only negative comment I received was "ardent USC football fan," but that is only considered a negative in Westwood!

What should people know about Judge Stock?

FF: Judge Stock is one of the giants of the California judiciary with an excellent countywide and statewide reputation. The elections for Presiding Judge and Assistant Presiding Judge were usually hotly contested; however, when Judge Stock ran for the position of Assistant Presiding Judge, no one ran against her. And when she ran for Presiding Judge, no one opposed her either. She was so highly respected by the bench for her intellect, fairness, discretion, and leadership skills that her elections were uncontested once the judges of the Orange County Superior Court found out she was running for the office!

RC: She has a wonderful sense of humor...for a judge! Haha.

Thomas Umberg: Off the bench, Judge Stock has a great sense of humor, even prone to practical jokes. In an IRS case, we were preparing for closing arguments and had the old-fashioned polyurethane poster boards with Velcro at certain locations so that we might move dollar sign markers around to show how money moved in the money laundering scheme.

When it came time to rehearse the closing for the federal agents who investigated the case, AUSA Stock had me appear with the markers affixed to different parts of my suit and outstretched arms so that AUSA Stock could simply pluck them off my suit and apply them to the poster board and then take the old applique and put it back on me as sort of a human demonstrative. She let the agents sit with their mouths agape for a few minutes before letting them in on the prank.

Share an experience or favorite memory with Judge Stock.

Judge James Gray (Ret.): I first met

Nancy when we were working together as federal prosecutors in the U.S. Attorney's Office in Los Angeles in the middle to late 1970s. At that time, I formulated the lifelong impression that she was an intelligent, diligent, and caring human being, and one who took her responsibilities seriously. That conclusion was obviously shared, because when they opened a branch office here in Orange County, Nancy was appointed to lead it.

WG: I very much enjoyed observing Judge Stock preside over her busy calendar in Complex Civil Court. Her mastery of each case and perfect judicial demeanor enabled her to maintain absolute control over a packed courtroom. It was beautiful to watch.

DZ: A bunch of us, Judge Stock included, had a great time water-sliding in Hawaii during a break at one of the ABTL conferences many years ago.

TU: One experience that illustrates her sense of responsibility to the fairness of the process was when we were investigating a case that included a number of subjects in a mail fraud scheme. A co-conspirator and attorney to the group offered to become a cooperating witness and wear "a wire" to record conversations of his fellow co-conspirators.

Although this would have provided valuable information and evidence, Judge Stock immediately rejected the offer. She did not want to endorse the practice of using attorneys as spies, even if the lawyer was most willing to become a confidential informant.

What do you admire about Judge Stock?

WG: You often hear people say that the best judges and mediators are those who are smart, work hard, and care about justice. Judge Stock not only possesses these attributes but also a separate attribute that people rarely mention: gravitas. I have had the great privilege of appearing before Judge Stock when she was a judge in Complex Civil Court and now in her capacity as a mediator. I have also observed her great success in serving as the Presiding Judge of the Orange County Superior Court.

The common thread that weaves its way through all of those positions is the special gravitas that she brings to everything she does. People not only listen to Judge Stock, but also they feel privileged to do so. This is the quality of a leader, which is exactly what Judge Stock is. Observing her leadership skills has greatly assisted me in my work as a leader within the Orange County Bar and

within my firm.

DZ: There are so many things, but probably highest is that she doesn't shy away from the tough calls, and she's going to get it right.

JG: Even though she was seriously being considered for a position on the Court of Appeal, Judge Stock volunteered to hear the OJ Simpson child custody case, with all of its inherent potential landmines. And then she had the courage and fortitude to issue her decision based upon the evidence: to find that Simpson was not a threat to his children. Of course, she probably knew that this would torpedo her potential elevation, but none of that affected her decision. For that, she remains my hero.

TU: Judge Stock was not simply about getting a "guilty verdict;" she had and has an acute sense of justice and fair play.

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What might seem like a clever trial tactic would never be employed if it might create a misimpression with the jury or judge. She viewed the integrity of the process (and her own integrity) to be more important than any single outcome.

What do you appreciate about Judge Stock?

DZ: Where do I start? There are so many things. Having served on a number of boards with Judge Stock, I appreciate how actively she participates and contributes—whether it's an OCBA committee, the Masters board, or ABTL, to name just a few.

JG: When we served on a three-judge panel on a mock trial argument, not only was her demeanor perfect for spurring the students to strive for excellence, but at the same time they were learning an apprecia-

tion of the judiciary. Her questions on this somewhat dry topic were truly insightful. To this day I remember thinking, what a fine and sharp judge.

FF: I very much appreciate her leadership style. Most leaders lead from the top of the pyramid and tell others what to do. Her style was a servant-leadership style. She made the necessary decisions, but wherever possible, her role became more like that of a mentor who assisted those working under her to become better versions of themselves.

RC: I appreciate the fact that she sticks to her principles. This has been demonstrated while she was on the bench handling child custody hearings with two controversial rulings. The first instance was in 1991 when the mother who was granted custody later killed herself and her children. The second was in 1997 when she granted OJ Simpson joint custody. She was subject to a recall petition for the second decision, but she took it all in stride, simply replying that she was following the law, and would not let sensationalism or public sentiment affect her decisions.

TU: Judge Stock teaches by example. Just as she is on the bench, AUSA Stock was well prepared and demonstrated supreme competence and confidence. Counsel who tried to bully her were met with the calm demeanor of someone who knew her case—and their case—better than anyone in the courtroom.



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