



PRESIDENT'S PAGE THOMAS H. BIENERT, JR.

Loss of a Legal Legend

Ferguson wrote that what matters “is not length of life but depth of life.” Sadly, Judge Alicemarie Stotler died on June 9th. But she lived deeply, shaping the professional lives of attorneys and judges for almost forty years.

Alicemarie was a Southern California girl all the way. Born in 1942 in Alhambra, she graduated Alhambra High School, and attended both undergrad and law school at USC. She thereafter worked in Orange County as a Deputy District Attorney, a private practitioner, a Judge on the California Municipal Court and Superior Court, a Justice Pro Tem on the California Court of Appeal, and a United States District Court Judge. Her loyalty to her roots remained constant. Litigator Tom Malcolm recalls her reminiscing that “making the cheerleading squad at Alhambra High School” was still a lifetime highlight. In recent years, Alicemarie also set up a scholarship fund at the USC Gould School of Law.

Judge Stotler left an indelible mark on those who worked for her. Over fifty law clerks were fortunate enough to learn from her, starting with work ethic. U.S. Magistrate Judge Jacqueline Chooljian, who clerked for Judge Stotler after graduating law school, recalls that “she was a tireless worker. We killed ourselves with her for a year, and loved every minute of it.” Jean Rosenbluth, another former law clerk who also now is a U.S. Magistrate Judge, echoes the sentiment: “We knew never to let her go home on a Friday without having a huge pile of drafts and reading material for her to go through over the weekend.”

Practitioners learned preparation and focus in Judge Stotler’s court. As a young federal prosecutor, I recall being gently redirected if I meandered. “Mr. Bienert,” she’d interject, “can you please articulate the facts establishing the elements.” She never required more of counsel than she put on herself. “She was incredibly well prepared during court, having read all the pleadings (including exhibits and footnotes), was elegantly articulate, and a stickler for the rules and timeliness,” says Judge Chooljian; “the courtroom was all business.” U.S. District Judge Gary Fees, who tried cases before Judge Stotler, described her court as “efficiency without arbitrariness.” She was excellent, says former OCBA President John Hueston: “She consistently brought focus, intensity, and brilliance inside the courtroom.”

Judge Stotler also had a lighter side. She was known on occasion to crack a wry smile from the bench. Criminal defense attorney Jim Riddet boasts that he mustered one. “Knowing she was a stickler for proper grammar, I once made an objection saying, ‘Your honor, I object. In addition to being argumentative, counsel’s comment improperly ended in a preposition.’ I got the smile, but think she overruled my objection,” he laughs. Tom Malcolm admits being “a little cowed around her socially because she was so formal and intellectually imposing on the bench.” Then he got to know her, and “she was delightful,” with a wonderful sense of humor and great enjoyment of books and movies. She was also an avid runner who completed many marathons, and a dog lover known to keep a leash in her car to rescue stray dogs she encountered.

Her professional life wasn’t limited to her courtroom. She served on many committees, including as Chair of the U.S. Judicial Conference’s

Standing Committee on Rules of Practice and Procedure. “Her imprint is permanently on the Civil Rules,” observes Tom Malcolm. To this day, her work on the federal rules affects practitioners and judges nationwide.

She was also active with the OCBA throughout her career. She joined the OCBA in 1968, was its first female officer in 1984, was the first woman to receive the Franklin G. West Award in 1984, and was a founding Co-Chair of the OCBA Master’s Division in 2011. John Hueston, who introduced the idea of the Master’s Division during his OCBA Presidency, reflected on Judge Stotler’s importance to its formation: “She provided leadership and creative input to the OCBA Masters Division in its inaugural year. Though battling illness at that time, she insisted on hosting key early meetings and in challenging our initially small group to create a program not only unique for the county, but unique in the nation.” Tom Malcolm, her Co-Chair of the Master’s Division, agrees, adding that “her gravitas and reputation gave the Masters Division immediate credibility and impact.”

Judge Stotler was a pioneer woman practitioner, and inspired many with her handling of gender-bias issues. Judge Rosenbluth recalls an occasion when Judge Stotler sanctioned a male lawyer for gender-biased remarks toward female opposing counsel; “the effort she put into that order and the conviction she had concerning the inappropriateness of the man’s remarks—not just because they were gender biased but also because they offended the decorum of the Court—were genuinely inspiring.” Judge Chooljian admired the way Judge Stotler addressed gender bias “by example and doing. She broke down barriers without highlighting that the barrier existed.”

Thankfully, Judge Stotler’s presence on the bench continues through the many who emulate her. Presiding O.C. Superior Court Judge Glenda Sanders saw Judge Stotler as “the gold standard for judging.” U.S. District Judge Carmac Carney, the last recipient of the Federal Bar Association’s “Judge Alicemarie H. Stotler Award,” says “her careful and incredibly prepared decision-making honored the dignity of every individual and the prestige of the court.” Judge Chooljian thinks “every day” about what she learned from her. Judge Rosenbluth believes that none of us “ever had a better teacher than Judge Stotler.” U.S. District Judge Carter worked with her for years and says, “the public knew her as Judge Alicemarie Stotler, but friends and colleagues knew her as Sam; she was the inspiration and the heart and soul of our court.”

Clearly, Judge Stotler lives on in the many who have learned from her.

She is survived by her husband of over forty years, O.C. Superior Court Judge Jim Stotler, whom she described as her “best decision.” On September 17, the U.S. District Court will hold a memorial to celebrate Judge Stotler’s exemplary life.



Thomas H. Bienert, Jr. specializes in trial work, civil litigation, and white-collar criminal defense for Bienert, Miller & Katzman, PLC. He can be reached at tbienert@bmkattorneys.com.