

# Judge brings Sacramento savvy to CoCo bench

Contra Costa County Superior Court Judge Thomas Maddock was second-in-command of California's prison system before he came to the bench.

And when defense attorneys learn about that, they tend to get a bit apprehensive.

Criminal defense attorney John Forsyth feared that Maddock would believe "prison was good for everyone." Instead, Forsyth said, Maddock gave his client's case a fair hearing and carefully considered defense briefs.

Maddock was formerly undersecretary for the California Youth and Adult Correctional Agency. The umbrella agency runs several departments, including the Department of Corrections, the California Youth Authority and the Board of Prison Terms. The undersecretary is appointed by the governor and, according to the agency's Web site, "oversees day-to-day operations for the largest penal system in the world."

Maddock said he's held a variety state posts over the years, including ones that deal with consumer and veteran affairs.

"All of them give me a broad understanding of people and people's needs," the judge said.

"I really feel that it's my job to deal with cases individually. There are many cases where it is not appropriate to send people to prison, so I don't send them there," the judge said.

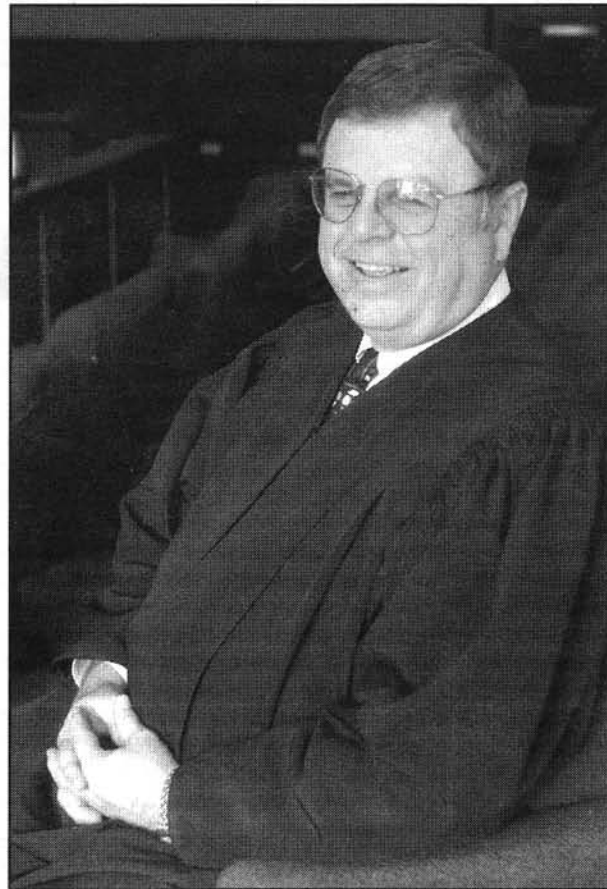
Forsyth said that attorneys who appear before Maddock should make an extra effort to map out important legal issues in well-prepared pretrial motions. Maddock is very meticulous about following the law, and those motions — which some defense attorneys make orally or don't spend a lot of effort on — seem to help shape Maddock's analysis, Forsyth said.

Forsyth said that strategy paid off for him when he represented a client accused of molesting a child. "I was able to get in the defense that I wanted," the attorney said.

Oakland defense attorney Lawrence Ward praised Maddock for being "up on the law" and being "comfortable" trying tough sex cases.

Ward and Forsyth both pointed out that some judges are uncomfortable trying cases that involve sex crimes — or that they lean toward the prosecution in them.

Maddock advises attorneys that he doesn't like speaking



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objections and likes to have attorneys' proposed jury instructions by the second day of trial. That way, he can spot legal issues that may come into play, and he's prepared if the case winds down quickly.

The judge said the appearance of impartiality is also very important to him. He doesn't like to call attorneys by their first names in front of the jury because then it appears that he's too "buddy-buddy" with the attorneys, Maddock said.

The judge is also reluctant to chastise attorneys in front of the jury when the opposing side hasn't raised any objec-

## Thomas Maddock

**COURT:** Contra Costa Superior

**APPOINTED:** 1998 by Gov. Pete Wilson

**DATE OF BIRTH:** July 3, 1946

**LAW SCHOOL:** Hastings College of the Law

**PREVIOUS JUDICIAL EXPERIENCE:** none

tions. Maddock said he prefers to handle those issues outside of a jury's hearing range.

Early in Maddock's career he was a deputy DA in Contra Costa and El Dorado counties. But the bulk of the jurist's career was spent as a high-level bureaucrat in Sacramento.

Maddock came to the bench after 10 years as a senior official in several state agencies. Maddock was the deputy director of the Department of Consumer Affairs, the chief deputy director of the California Department of Veteran Affairs and spent three years as undersecretary of the Youth and Adult Correctional Agency.

"I did the jobs that the governor wanted me to do, but I always wanted to go home to the bench," Maddock said recently.

But even after Maddock was given a gavel, he couldn't shake his habit of involvement. Shortly after Maddock got on the bench, he joined most of the court's internal committees. Last year, he ran unopposed for assistant PJ.

Maddock said he's tried to use his Sacramento connections to benefit the Contra Costa County court. He's also helped to inform his colleagues on the mysteries of the state budget process.

"My experience in Sacramento includes some budget experience," Maddock said. "I like to help out when I can."

— Jahna Berry

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