

**FRANK J. OCHOA**  
**Attorney/Mediator/Arbitrator**  
Retired Judge of the Superior Court  
Of Counsel

Sanger Swysen & Dunkle

222 East Carrillo St., Suite 300, Santa Barbara, CA 93101

• (805) 962-4887 • Cell: (805) 451-1240 • Fax (805) 963-7311 •

Email: [judgefrankochoa@gmail.com](mailto:judgefrankochoa@gmail.com)

[fochoa@sangerswysen.com](mailto:fochoa@sangerswysen.com)

Website: [www.frankochoa.com](http://www.frankochoa.com)

*Southern California Mediation Association's Judge of the Year (2000)*

### **Current Employment**

Of Counsel: Sanger Swysen & Dunkle. Mediation and Arbitration practice with limited case representation in civil and criminal cases

Panelist or Member:

- National Academy of Distinguished Neutrals
- California Academy of Distinguished Neutrals
- State Mediation and Conciliation Service--California Public Employment Relations Board
- American Arbitration Association
- Resolute Systems, LLC
- Southern California Mediation Association
- Santa Barbara County Superior Court (CADRe Program)
- Ventura County Superior Court

### **Judicial Experience**

#### **SANTA BARBARA COUNTY COURTS**

***Judge, Superior Court of California, County of Santa Barbara***

1/6/97—1/3/15

Trial court judge: full range of civil, family, probate, criminal, and juvenile matters

- Elected to position effective 1/6/97; re-elected 11/5/02, 11/4/08, and 11/04/14
- Presiding Judge (1/98–1/01)

- Designed and Implemented Santa Barbara Superior Court’s CADRe (Court Administered Appropriate Dispute Resolution) “ADR” Program
- Designed and Implemented Santa Barbara Superior Court’s Adult and Juvenile Drug Court Programs

***Judge, Santa Barbara Municipal Court***

- Appointed 1/2/83, Elected 1988 and 1994 1/2/83—1/5/97
- Presiding Judge (1/87–1/89, 1/93–1/95)
- Acting Presiding Judge (3/83–1/85, 1/86–1/87, 1/92–1/93)

**CALIFORNIA COURT OF APPEAL**

***Justice pro Tempore***

- Assigned by the Chief Justice of the California Supreme Court: Second Appellate District, Division Six. Authored published and unpublished opinions

5/85—7/85

**Statewide Committees and Associations**

**CALIFORNIA JUDICIAL COUNCIL**

- Member***, Probation Services Task Force (PSTF) 8/00—7/03
- Chair***, PSTF Services and Caseload Standards Subcommittee 9/00—7/03
- PSTF Liaison***, Proposition 36 Implementation Workgroup 12/00—7/03
- Member***, Presiding Judges Advisory Committee (PJAC) 4/99—1/01
- Member***, PJAC Transitional Executive Committee 5/00—1/01
- Member***, Trial Court Budget Commission 11/98—12/00
- Special Master, California Commission on Judicial Performance***
- Appointed by California Supreme Court to review allegations of judicial misconduct and conduct evidentiary proceedings. 12/05/06—1/3/15

**CALIFORNIA JUDGES ASSOCIATION**

- Executive Board Member***, California Judges Association (CJA) 1/83
- Executive Board Member***, Juvenile Court Judges of California (JCJC) 9/92—9/95
- Team Captain***, JCJC Legislative Review Committee 4/00—4/02
- Chair***, CJA Court Administration Committee 2/01—4/02
- Member***, CJA Court Administration Committee 9/88—9/90
- Member***, Court Personnel Subcommittee 9/84—9/88
- Chair***, Municipal and Justice Courts Subcommittee 9/84—9/88

## Education

<i>Juris Doctor</i> , Martin Luther King Jr. School of Law, University of California, Davis	1975
<i>Bachelor of Arts</i> (English and History-double major), University of California, Santa Barbara	1972
• Dean's Honor List – Winter 1971, Spring 1972	
<i>Associate of Arts</i> , in English, Long Beach City College	1970
• Dean's Honor Roll, 3 semesters	

## ADR Courses

<i>Mediation Certificate of Training</i> , Pepperdine University School of Law, Straus Institute for Dispute Resolution, Continuing Judicial Studies Program	2001
<i>Mediation Certificate of Training</i> , “ <i>Mediating Commercial &amp; Litigated Cases</i> ” American Institute of Mediation	2015
<i>MCLE Course</i> , “ <i>Avoiding Damaging Mistakes in Mediation</i> ”, Santa Barbara County Bar Assn. 7/21/15	2015
<i>American Arbitration Association</i> , “ <i>Arbitration Fundamentals and Best Practices for New AAA Arbitrators</i> ”	2016
<i>American Arbitration Association</i> , “ <i>Award Writing</i> ”	2016

## Prior Employment and Experience

<i>Executive Director</i> , Legal Aid Foundation of Santa Barbara County	9/80—1/83
<i>Directing Attorney</i> , Legal Services of Northern California–Yolo County	8/76—8/80
<i>Staff Attorney</i> , Legal Services of Northern California–Yolo County	4/76—7/76
<i>Staff Attorney</i> , Legal Services of Northern California-Sacramento Office	1/76---4/76
<i>Intern</i> , Sacramento County District Attorney's Office	Fall 1974
<i>Intern</i> , Colorado State Public Defender's Office	Summer 1974
<i>Intern</i> , Sacramento Concilio's Centro Legal	1973—1974

### *Admissions to Practice Law:*

- *Admitted to practice law in the State of California (1975), State Bar Number 67011*
- *U.S. District Court for the Eastern District of California (1976)*
- *U.S. District Court for the Central District of California (1979)*
- *U.S. Court of Appeals for the Ninth Circuit (1980)*

## University and Law School Teaching

<i>Lecturer</i> , “Latinos and the American Legal System” College of Letters and Sciences, University of California at Santa Barbara, Interdisciplinary Studies-- <i>Interdisciplinary 185LL</i>	Fall 2016
<i>Lecturer</i> , “Latinos and the American Legal System” Political Science Department, University of California at Santa Barbara-- <i>Political Science 106AP</i>	Spring 2015
<i>Lecturer</i> , “Law and Civil Rights” during 9 Quarters in the Chicana/o Studies Department University of California at Santa Barbara— <i>Chicana/o Studies 172</i>	2009-2014

<b>Professor</b> , Santa Barbara College of Law: Taught courses in Legal Method and Process, Statutory Law, and Professional Ethics	1992—1997
<b>Community College Instructor Lifetime Credential No. 10465</b> Subject Matter Area: Law	1976

### **Public Speaking Experience**

<b>Coordinator and Participant</b> , “Meet Your Judges Forum—Santa Barbara County” California Judges’ Association, State Bar of California	1990
<b>Seminar Instructor</b> , “Chicano Society and Culture: An International Conference” Center for Chicano Studies, University of California Santa Barbara	1990
<b>Panelist</b> , Annual Statutory Civil Law Update, Civil Law Institute California Center for Judicial Education and Research	1990
<b>Moderator and Panelist</b> , “What is Happening in Dependency Court” California County Social Welfare Department Directors Statewide Annual Conference	1999
<b>Panelist</b> , Judicial Council Probation Services Task Force: Roundtable Discussions on Child Welfare and Delinquency, “Beyond the Bench” Dependency Conference	2000
<b>Moderator and Panelist</b> , “My Child * Your Children . . . Are they Safe?” Santa Barbara Community Forum sponsored by the Santa Barbara County Public Health Department, Family Service Agency, and Child Abuse Listening and Mediation Services	2001
<b>Panelist</b> , Prop. 36 Working Group, California Drug Court Symposium	2001
<b>Panelist</b> , Integrating ADR Processes with Case Management Systems Statewide Conference on Court-Connected ADR Programs for Civil Cases	2001
<b>Panelist</b> , Probation Services Task Force Roundtable Discussion California Juvenile Delinquency & The Courts Conference	2001
<b>Panelist</b> , “How to Provide Effective Services to Non-English Speaking Self-Represented Litigants,” Assisting Self-Represented Litigants in California Conference	2001
<b>Faculty</b> , Adult Drug Court Skills-Based Planning Workshop, Drug Courts Programs Office, Office of Justice Programs, U.S. Dept. Of Justice and the National Drug Court Institute	2004
<b>Keynote Conference Speaker</b> , 13 <sup>th</sup> Annual Conference California Association of Probation Services Administrators	2008
<b>Panelist</b> , “Human Rights v. Youth Violence: Conflict or Not?” Santa Barbara County Bar Foundation Law Week	2010
<b>Keynote Conference Speaker</b> , Kern County Mediation Conference	2010
<b>Keynote Conference Speaker</b> , Opening Ceremonies 116 <sup>th</sup> Annual California State Sheriffs’ Association Conference	2010
<b>Panelist</b> , “Civil Court Judicial Forum: Advanced Discovery and Trial Practice” National Business Institute, Inc., Ventura, CA	2013
<b>Presenter</b> , “Elimination of Bias” Santa Barbara County Bar Association’s 2013 Bench and Bar Conference and a subsequent session <i>MCLE Credit Sessions</i>	2013
<b>Panelist</b> , “As Judges See It: Top Mistakes Attorneys Make in Civil Litigation” National Business Institute, Inc., Santa Barbara, CA	2013
<b>Presenter</b> , “Elimination of Bias and Avoiding Discrimination Claims” Office of the County Counsel for the County of Santa Barbara (Feb.), and the Santa Barbara Barrister’s Club (Nov.) <i>MCLE Credit Sessions</i>	2015
<b>Co-Presenter</b> , “Ethics in Mediation” Santa Barbara County Bar Association’s 2016 Bench and Bar Conference	2016
<b>Co-Presenter</b> , “Marketing Your Mediation Practice”, Southern California Mediation Association-Santa Barbara Professional Development Group	2016

## **Trial Judge in Following Published Decisions**

*People v. Prock* (2014) 225 Cal. App. 4<sup>th</sup> 812; 170 Cal. Rptr. 3d 620; 2014 Ca. App. LEXIS 348  
*People v. Galvez* (2011) 195 Cal. App. 4<sup>th</sup> 1253; 126 Cal. Rptr. 3d 554; 2011 Cal. App. Lexis 647  
*People v. Fisher* (2009) 172 Cal. App. 4<sup>th</sup> 1006; 91 Cal. Rptr. 3d 609; 2009 Cal. App. LEXIS 442  
*Haraguchi v. Superior Court* (2008) 43 Cal. 4<sup>th</sup> 706; 182 P. 3d 579; 76 Cal. Rptr. 3d 250  
*People v. Thompson* (2006) 38 Cal. 4<sup>th</sup> 811; 135 P. 3d 3; 43 Cal. Rptr. 3d 750  
*In re Cruz* (2003) 104 Cal. App. 4<sup>th</sup> 1339; 129 Cal. Rptr. 2d 31; 2003 Cal. App. LEXIS 1  
*In re Marriage of Bryant* (2001) 91 Cal. App. 4<sup>th</sup> 789; 110 Cal. Rptr. 2d 791; 2001 Cal. App. LEXIS 645  
*Townsend v. Superior Court* (1998) 61 Cal. App. 4<sup>th</sup> 1431; 72 Cal. Rptr. 2d 333; 1998 Cal. App. LEXIS 183  
*People v. Davenport* (1985) 176 Cal. App. 3<sup>rd</sup> Supp. 10; 222 Cal. Rptr. 736; 1985 Cal. App. LEXIS 2952

## **Published Opinions Authored or Counsel of Record**

### **Authored:**

*Keith v. Buchanan* (1985) 173 Cal. App. 3<sup>rd</sup> 13; 220 Cal. Rptr. 392. Wrote published opinion for the California Court of Appeal. The most widely used digest of California law, Summary of California Law, by B.E. Witkin, states. *inter alia*, that “U.C.C. (Uniform Commercial Code Section) 2313 (regarding express warranties) was given a definitive construction” in California in the case of *Keith v. Buchanan*. See Witkin, *supra.*, 10<sup>th</sup> ed., Vol. 4., “Sales” p. 68. (See generally, Witkin, Summary of California Law, 10<sup>th</sup> ed., Vol. 4, “Sales” Sections 57-76 at pgs. 68-84).

Other published opinions:

*People v. Nottingham* (1985) 172 Cal. App. 3<sup>rd</sup> 484; 221 Cal. Rptr. 1. (Murder conviction reversed) and *Baker v. Pratt* (1986) 176 Cal. App. 3<sup>rd</sup> 370; 222 Cal. Rptr. 253. (Issues regarding six consolidated lawsuits involving intertwined corporate dissolutions determined)

### **Counsel of Record:**

*Hennagin v. County of Yolo* (E.D. Ca., 1979) 481 F. Supp. 923  
*Vaughn v. Regents of the University of California* (E.D. Ca., 1981) 504 F. Supp. 1349  
*Driskill v. Woods* (1977) 70 Cal. App. 3<sup>rd</sup> 622; 138 Cal. Rptr. 863  
*Jonasen v. County of Yolo* (E.D. Ca., 1980) 24 E.P.D. Para. 31,364

### **Employment Policies and Statutes Written:**

Santa Barbara County’s Personnel Policies related to *Anti-Sexual Harassment* and *Bias Free Workplace*. As Chair of the County Affirmative Action Commission in 1982—Authored the first such countywide policies in the nation.

Government Code sections 74640 et. seq. Authored legislation enacted in the California Government Code which effected consolidation of the Santa Barbara County Marshal’s Office into the Santa Barbara County Sheriff’s Office—1996

## **Honors and Awards**

<i>John T. Rickard Judicial Service Award</i> , Santa Barbara County Bar Association	2012
<i>Hero for Justice Award</i> , Legal Aid Foundation of Santa Barbara County	2011
<i>Influential Latino</i> , Latino Today (Tri-Counties publication)	2006
<i>Judge of the Year</i> , Southern California Mediation Association	2000
<i>Distinguished Alumni</i> , Martin Luther King, Jr. School of Law (UC Davis)	2000
<i>President's Judicial Award</i> , Santa Barbara County Bar Association	1999
<i>Vision and Task Award</i> , Dyslexia Awareness & Resource Center	1998
<i>Leadership in Public Policy Award</i> , Santa Barbara Mental Health Association	1996
<i>Honorary El Presidente</i> , Santa Barbara Old Spanish Days	1987
<i>Distinguished Graduate of the Year</i> , Long Beach Unified School District	1983
<i>Founding Award Recipient</i> , Santa Barbara Hispanic Achievement Council	1983

## **Present and Past Community Activities**

*Founder*, Latina/o Lawyers Association of Santa Barbara  
*Chair*, Santa Barbara County Advisory Board, Casa Pacifica, Centers for Children & Families  
*Founding Trustee*, Santa Barbara Courthouse Legacy Foundation  
*Board President*, Santa Barbara and Ventura Colleges of Law  
*Board Member*, Old Spanish Days  
*Board Member*, UC Davis School of Law Alumni Association  
*Board Member*, UCSB Alumni Association  
*Member*, Santa Barbara Hispanic Achievement Council  
*Founding Member*, Santa Barbara American Inns of Court  
*Member*, Fighting Back Task Force  
*Board Member*, Santa Barbara County Community Action Commission  
*Member and Chair*, Santa Barbara County Affirmative Action Commission  
*Judicial Coordinator*, Santa Barbara County High Schools Mock Trial Competition  
*Member*, Advisory Board, Santa Barbara PARC Foundation (Parks & Recreation Community Foundation)  
*Member*, Santa Barbara New House Inc. Advisory Board