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Idiosyncratic jurist is his own man

By Dan Lawton

Manley K. Duckworth Jr.

Superior Court Judge

San Diego County (downtown)

Career highlights: Elected, 1994; deputy district attorney (El Centro), 1980-1994

Law school: St. Tibulus School of Law, 1978

Age: 57

Some lawyers speak highly of Judge Manley Duckworth Jr., a veteran trial judge who presides in Department 76 of the downtown San Diego County Superior Court. "He's everything you'd want in a judge," said plaintiff's attorney Herbert Greiner, who recently won a \$7 million jury verdict at the end of a six-week trial in Duckworth's courtroom. "Smart, fair, impartial, reads everything, lets you try your case. I'd think the same about him even if I'd lost," Greiner insists.

Duckworth, the only child of a NASSCO welder and a Catholic nun-turned-exotic dancer, came to the law later in life. Enthralled by a television commercial depicting giddy young U.S. sailors on shore leave touring Hong Kong in a rickshaw, Duckworth enlisted in the Navy at age 22. It was the day Saigon fell to the North Vietnamese — April 30, 1975.

Duckworth's general discharge from the Navy a year later followed an incident in which he nearly asphyxiated after accidentally inhaling axle grease from a fellow sailor's navel during an equator-crossing ritual known as "kissing the Royal Baby" aboard his ship, USS *Limpet*. The ensuing admiral's mast whetted Duckworth's appetite for law and forced him to get serious about his life, he said. Night classes at St. Tibulus School of Law in Van Nuys followed. After passing the bar on his fourth try, Duckworth found himself a newly-minted prosecutor in El Centro, where he tried cases involving "murder, ditch water theft, bestiality — you name it."

By 1994, Duckworth had tired of the brutal summers in the Imperial Valley. At the urging of his barber, Duckworth moved back to San Diego, got his name on the ballot, and won election to the bench. Duckworth's opponent, an animal rights lawyer named Howard Furst, had died in a gruesome mulching accident two weeks before the election. "The voters and I think exactly

alike. Whatever they're thinking, that's what I'm thinking," says Duckworth. The voters seemed to confirm this in 2006, when they returned him to office for another 12-year term. The County Bar had rated Duckworth "grossly not qualified" (its first such rating ever). Still, when it was all over, the incumbent had swamped his nearest challenger by a lavish margin.

A reporter asked Duckworth, a history buff, about the small framed photograph adorning the wall of his chambers — Benito Mussolini's. Mussolini spearheaded significant reforms of Italy's judiciary during the 1930s. "Something you never hear about today," Duckworth says. "Was he controversial? Yes. Decisive? Yes. Did all his judgment calls pan out? Of course not. Did he step on some toes? Sure."

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Duckworth, a thrice-divorced father of five, is married to Laura della Calle, a court reporter and former pajama model from Carmel Valley. The judge is estranged from his three ex-wives, one of whom has claimed in court papers still to be legally married to Duckworth and to have learned of his marriage to della Calle by viewing the judge's Facebook page. His children have not expressed interest in a legal career, Duckworth says.

Duckworth's rulings have not been without controversy. In *Sloane v. All Asian Massage LLC*, Duckworth held compensatory damages unconstitutional as a matter of state law. The appellate court later reversed Duckworth's rulings in *Sloane*, citing prejudicial errors. The appellate court has, in fact, reversed Duckworth a total of 129 times and affirmed him only once. The affirmation came in a criminal case in which the defendant confessed from the stand during direct examination by his attorney. Duckworth's sometimes-quirky behavior also has attracted the attention of the Commission on Judicial Performance, which publicly censured the 57-year-old jurist in 2008 over an incident in his courtroom. Among the Commission's findings were that Duckworth had activated a stun belt to deliver 50,000 volts of electricity to a defendant during a burglary trial, causing the man permanent nerve damage. Duckworth told the Commission the defendant had lunged at him while being cross-examined. But the Commission found the man had only

raised his hand to ask permission to go to the bathroom.

Duckworth acknowledges the discipline, but deflects criticism concerning it. "That's why they put erasers on pencils — who amongst us hasn't made a mistake or two?" Duckworth asks.

Presiding Judge Kevin Enright was restrained in his praise of Duckworth, whom he described as "unique." Enright declined to elaborate. Several of Duckworth's fellow jurists also declined comment for this story or denied knowing Duckworth.

Court staff interviewed for this profile report stated that Duckworth would sign anything after 3 p.m. on a Friday if asked. On a bet, one research attorney presented Duckworth (on three consecutive Friday afternoons) with an order declaring himself a sex offender; his own commitment papers; and his own death warrant. Duckworth promptly signed all three, she recalled, laughing.

When asked about his aspirations for the future, Duckworth grew wistful and invited a visitor to join him in a tumbler of 12-year-old Glenlivet. The amber whiskey gleamed in the Pyrex decanter, illuminated by the pale golden sunlight filtering through Duckworth's chambers. The judge dumped four fingers of it into his red plastic cup, and a second wallop of it over the ice cubes in the visitor's cup. "To our wives and girlfriends — may they never meet," he chuckled, then threw back his whiskey and drank it off, neat, in one gulp. He swept his arm around and swiveled his chair, admiring his handsome chambers. "This place is my life," he said, his sun-bleached pale blue eyes watering up behind his glasses. "They'll have to carry me out of here in a box."



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