

## David M. Rothman Obituary

May 23, 1937 - June 25, 2024

David Rothman, son, brother, husband, father, grandfather, artist, judge and teacher, passed away in Berkeley, CA on June 25, 2024 at age 87. He was tireless in the pursuit of justice, unwavering in his love and support of family and friends, and a trailblazer in the field of judicial ethics. He had Alzheimer's disease, which led to his death.

He is survived by Phyllis Rothman, his wife of 61 years, son Steven (Kathleen Tierney), daughter Sharon (Michael King), adored grandchildren Miles, Noah, Gabriel, and Isaac, and brother John Rothman (Judy).

He served with distinction as a Judge in the Municipal and Superior Court of Los Angeles, and ultimately as the Presiding Judge of Santa Monica Superior Court before his retirement from the bench in 1996. And although he oversaw countless cases, and introduced significant innovations as a judge, his professional legacy is in the ethical grounding he provided as a teacher, shaping the outlook and bearing of a generation of professionals who were introduced to his ideas of what it meant to be a judge during courses he taught for decades at the California Judicial College for newly appointed judges. He often used the quote: "The judge must be long of fuse and somewhat thick of skin" (*DeGeorge v. Superior Court* (1974) 40 Cal.App.3d 305, 312, Justice Robert Thompson for the court).

Beginning in the mid-1980s, he became deeply interested in judicial ethics, and devoted years to teaching and writing about it. He wrote three editions (1989, 1999 and 2005), and contributed to a fourth (2018), of the *California Judicial Conduct Handbook*, which the California Judges Foundation calls "the undisputed treatise on judicial ethics." Each new judge in California is provided a copy free of charge of what has become known simply as "The Rothman".

Born in Milwaukee, WI in 1937, his family moved to Los Angeles shortly after the end of WWII, in which his father Morris served. After graduating from Hollywood High School, and then UCLA, he received his JD from The University of Chicago Law School in 1962. He was Deputy Attorney General in the Los Angeles Office of the California Attorney General out of law school, and spent nine years in private practice. During that time, he became deeply involved in democratic politics, and he served as a volunteer attorney with the ACLU. He defended demonstrators who were arrested at an anti-war rally in Century City, and helped establish a program to obtain presidential pardons for draft resisters once the Vietnam War ended. Governor Jerry Brown appointed him to the bench in 1976.

Through every phase of his life, he drew and painted ceaselessly. Cartoons, sketches, faces in the house, faces of colleagues, people doing things wherever he was, t-shirts, flowers of every shape and hue, birthday and anniversary cards, and oil portraits. He studied portrait painting with Stephen W. Douglas from the mid-1990s to 2012, and had a solo exhibit of his work in Los Angeles in 2011. The works he was most proud of, a series of three paintings titled "Zeal for Good," brought together his creativity and his commitment to justice; His portrait of Congressman John Lewis sits in the Birmingham Civil Rights Institute.

An avid hiker and opera fan, he shared with his family and friends a love of the outdoors, a love of adventure, and a love of art and music. Always ready with a raised eyebrow or two and a wide engaging smile to create a human connection by sharing a laugh, he had the special skill of being present for the people he loved. He was a kind, patient, loving husband, friend, father and grandfather. He lived well, and he will be missed.