

JEROME H. BERENSON

By William H. Hair



I first met Jerry Berenson shortly after being admitted to the bar in 1960. I was a very young deputy district attorney prosecuting misdemeanor cases. Jerry at that time was the partner in the Oxnard firm of Nordman, Berenson & Lewis. There were, maybe, 150 lawyers in Ventura County. To survive in private practice, you basically took any case that walked through the door – divorce, criminal, landlord-tenant – whatever, and Jerry was no exception.

One of Jerry's clients was a family of commercial fishermen from Port Hueneme (Jerry was the city attorney then). These fishermen were in the "sights" of the local Fish & Game officials, and it came to pass that criminal charges were filed against them for some dastardly offense such as taking sardines for the purpose of canning them in the wrong size can. As the newest prosecutor, these cases had a way of finding their way to my desk – and I was faced with the task of trying a case against an established and experienced member of the bar – who, my God, was the president of the Bar Association!

The trial was in the old Oxnard-Port Hueneme Municipal Court before Judge Clarence Pecht. There were two Municipal Courts in Ventura County – the Ventura Municipal Court with Judge Richard Heaton and the Oxnard-Port Hueneme Municipal Court with Judge Pecht. The rest of the county was served by Justice Courts in Ojai, Camarillo-Moorpark, Fillmore and Santa Paula.

This was a major case for the Fish & Game, so in addition to the game wardens, I was being assisted by the captain of the enforcement division. Much of the evidence had been gathered through radar surveillance of the fishermen's activities at sea and following tanker trucks to the canneries. During my case in chief, a game warden was testifying about the nefarious acts of the defendants and the gathering of the evidence when Jerry Berenson caught my assisting captain giving hand signals to the testifying warden. Needless to say, the always "calm" defense lawyer called this conduct to the attention of the court in no uncertain terms – which resulted in a prompt reprimand to my assisting officer. I honestly do not remember the outcome of the case, but notwithstanding this case and several others that we tried against each other, I was offered an associate's position in his law firm, the fourth attorney in the firm. Jerry and I became lifelong friends.

Near the end of 1962, a fourth department was created for the Superior Court and Jerry was appointed to the bench by Governor Pat Brown. The Superior Court judges were E. Perry Churchill, William A. Reppy and Edward J. Henderson.

After about five years, Jerry's fellow judges elected him as presiding judge and he continued in that role for some 15 years until he retired in 1982. During that period the court went through tremendous changes. It grew with more judges being added on a fairly regular basis. The Justice Courts went away and were replaced by a unified countywide Municipal Court, the old courthouse at 501 Poli Street (now Ventura City Hall) was condemned as unsafe, and the courts were moved into mobile homes in the parking lot at Chestnut and Poli. Ultimately, after a number of years in temporary and uncomfortable quarters, the county and the courts moved to the current location on Victoria Avenue. Jerry Berenson was recognized statewide as a judges' judge, including service on the California Judicial Council.

Presiding Judge Berenson was a calming catalyst who kept things running in the Superior Court system notwithstanding a growing calendar, "fast track" and demands on the system that

could have, and in some jurisdictions did, result in disaster. As a settlement judge, he was – without peer – sorry, Dave Long. He had a poster from the Godfather movie on the wall of his chambers with the classic line: "I'll make you an offer you can't refuse!" And this was usually the result.

I vividly remember a case about land subsidence involving numerous properties which had evolved into a class action with so many lawyers that we almost had our own bar association for the case. There were government agencies, multiple layers of engineers, developers, and property owners. Fingers were being pointed in every direction. Judge Berenson, after multiple settlement conferences, told all of the lawyers to stay away and ordered all of the engineering experts to meet and come up with an agreed solution to cure the problem and their estimate of the costs to do this. After several weeks, a solution was agreed on and ultimately the case settled and the problem was fixed. This probably saved many months of court time and hundreds of thousands of dollars being spent on litigation that ultimately were used to fix a serious problem.

After his retirement from the bench, Jerry continued work as a private mediator/arbitrator/judge for many years. He was a real asset in getting matters decided and/or settled. Always level-headed and unflappable (this was not a quality that was demonstrated in my fish case some years before), with a hearty laugh and tremendous sense of humor, Jerry will be missed by those of us fortunate enough to have known and worked with him.

His 93 years were full, including service to his country in the Navy, service to his clients as a lawyer, service to the community and state as a wonderful judge and, of course, service to his family. He will be remembered for generations through the local chapter of the Inns of Court named for him.



Bill Hair is a partner at Nordman, Cormany, Hair & Compton in Oxnard.