COMMISSION ON JUDICIAL PERFORMANCE
455 Golden Gate Avenue, Suite 14400
San Francisco, CA 94102

Contact:     Gregory Dresser                               FOR RELEASE
             Director-Chief Counsel                       October 15, 2020
             (415) 557-1200

## COMMISSION ON JUDICIAL PERFORMANCE ISSUES PUBLIC ADMONISHMENT OF JUDGE FRANK ROESCH

The Commission on Judicial Performance has publicly admonished Judge Frank Roesch of the Alameda County Superior Court. The commission determined that it should issue a public admonishment for misconduct in which Judge Roesch engaged in two separate cases.

In those two cases, Judge Roesch displayed a lack of the neutrality and the courtesy to witnesses, parties, and attorneys that is expected of judges. In a civil jury trial, Judge Roesch interrogated a witness in a hostile manner, made sarcastic remarks, and mishandled (in multiple ways) the witness's assertion of her Fifth Amendment privilege against self-incrimination. In a quiet title action, Judge Roesch questioned the parties and counsel in an injudicious manner. Although Judge Roesch incorrectly believed that his intervention in each case was justified, the commission determined that it should issue a public admonishment for the misguided manner in which he attempted to address his mistaken assumptions and for the discourteous way in which he comported himself toward those appearing in court before him.

Judge Roesch's misconduct was aggravated by prior discipline for discourteous comments that Judge Roesch made to a self-represented litigant.

The commission's Decision and Order of Public Admonishment is available on the commission's website at https://cjp.ca.gov (under "Pending Cases - Press Releases & Documents" and "Public Discipline & Decisions"). Judge Roesch is represented by David S. McMonigle, Esq., of San Francisco.

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The commission is composed of six public members, three judges, and two lawyers. The chairperson is Hon. Michael B. Harper.

For further information about the Commission on Judicial Performance, see the commission's website at https://cjp.ca.gov.