

**Statement of U.S. Senator Dianne Feinstein  
on the Nominations of Jesus G. Bernal to be a U.S. District Judge for the  
Central District of California and Grande Lum to be Director of the  
Community Relations Service**

**June 6, 2012**

Mr. Chairman, I am pleased to submit this statement to support Jesus Bernal's nomination to sit in Riverside on the U.S. District Court for the Central District of California, and to support Grande Lum's nomination to the Community Relations Service within the Department of Justice.

Jesus Bernal

**Background**

Born in Mexico, Mr. Bernal is 48 years old. He lives in Whittier, California with his wife Patricia, who is here today. They have two children, Jesus and Natalia.

Mr. Bernal earned his Bachelor's Degree *cum laude* from Yale University in 1986 and his law degree from Stanford Law School in 1989. He became a citizen of the United States in 1987.

Following law school, Mr. Bernal spent two years as a law clerk for the Honorable David V. Kenyon on the same court to which he is nominated today, the U.S. District Court for the Central District of California.

## **20 Years of Legal Practice**

For over 20 years, Mr. Bernal has practiced civil and criminal law, primarily in the Federal courts.

Mr. Bernal began his career in private practice, working as an associate at the law firm of Heller, Ehrman, White, & McAuliffe in Los Angeles from 1991 through 1996. During his time at the firm, Mr. Bernal practiced complex civil litigation, representing corporate clients in business disputes.

Since 1996, Mr. Bernal has worked as a Deputy Federal Public Defender in the Office of the Federal Public Defender in the Central District of California, where he has personally represented hundreds of indigent criminal defendants and overseen hundreds of other representations.

Mr. Bernal has appeared hundreds of times in Federal court. He represents defendants through each phase of their cases – including in motions hearings, negotiations with prosecutors, plea hearings, at trial, at sentencing, and on appeal. Mr. Bernal has tried 10 criminal cases and has supervised several other attorneys in trial proceedings. Mr. Bernal has also represented individuals convicted in state court who are pursuing writs of habeas corpus in the Federal courts.

Mr. Bernal is well-versed in Federal criminal law, having handled cases involving violence on Federal property, tax evasion, bankruptcy fraud, mail fraud, computer intrusion, false claims, illegal firearms, narcotics possession, and money laundering.

Since 2006, Mr. Bernal has been a leader in the Federal Public Defender's Office, experience that will help him manage his courtroom. He is the Directing Attorney of the Riverside Branch Office, a role in which Mr. Bernal supervises trial attorneys, investigators, and other personnel, in addition to carrying his own caseload.

He also serves as chairman of the Ethics Committee for the Federal Public Defender's Office for the whole Central District, which is the largest Federal Public Defender organization in the Nation. In this capacity, Mr. Bernal works to resolve ethical issues and to provide ethical guidance for the 240 employees who work for the Federal Public Defender in the Central District.

In short, Mr. Bernal is well-qualified for the bench. He has over 20 years of legal practice, including 5 years in complex civil litigation and 15 years in Federal criminal defense. He also has extensive practical experience supervising other attorneys. He is prepared to serve on the District Court.

### **Riverside Seat**

I am also very pleased that this particular judicial seat – based in Riverside – is being filled. This seat has been vacant since former District Judge Stephen Larson stepped down from the bench in 2009 in order to pursue a career in private practice.

Judge Larson sat in the Eastern Division of the Court, which hears cases in Riverside and covers the counties of San Bernardino and Riverside. The Central

District has 28 judgeships. Yet since Judge Larson's retirement, only a single active judge has been based in Riverside – even though the Eastern Division has nearly one-fourth of the Central District's total population.

So, I am very pleased to support Mr. Bernal, who is well-qualified and will bring needed judicial resources to the Federal bench in Riverside.

I encourage my colleagues to work with Senator Boxer and myself to move his nomination forward.

### Grande Lum

Before I conclude, I also want to briefly express my strong support for the nomination of Grande Lum to be the Director of the Community Relations Service.

Mr. Lum is ideally suited to lead this office within the Department of Justice. Created by the Civil Rights Act of 1964, the Community Relations Service is the only Federal agency dedicated to helping local communities resolve racial and other conflicts peacefully, before they lead to violence, litigation, or another undesirable result. As most businessmen and women can attest, mediation is a preferable result over costly litigation. The same principle holds true for our communities.

Mr. Lum brings sterling credentials to the position. Born in my hometown of San Francisco, he graduated from the University of California at Berkley and Harvard Law School. He has spent most of the past twenty years serving as a trained mediator, working with a wide range of parties to achieve mutually

beneficial results – experience which will be very beneficial in heading up the Community Relations Service. A couple of examples of the mediations Mr. Lum has led show the breadth of skills he would bring to this position: He led a mediation between a teachers’ union and management that was recognized as one of the best examples of labor-management cooperation in 1998. In another mediation, he brought together members of a leading pharmaceutical company to bridge differences on issues of business development, research, and regulatory concerns.

In addition to serving as a practitioner of mediation, he also has taught the practice as a clinical or adjunct professor at several leading schools in California, including my alma mater, Stanford University. Most recently, he served as Director of the Center for Negotiation and Dispute Resolution at the University of California Hastings College of Law.

Mr. Lum’s mediation work has won him accolades from his peers. A group of 25 dispute resolution practitioners described his career, personal integrity, work ethic, reputation, and character as “exemplary” and praised his “deep knowledge and understanding of mediation and conflict resolution procedures.” Mr. Lum’s colleagues in academia stated that he “has a nationally-recognized reputation for the highest standards of professional expertise, integrity and interpersonal skills.”

I am confident that Mr. Lum will be an outstanding leader of the Community Relations Service. I hope this Committee can move this nomination to a vote in the very near future.

Thank you, Mr. Chairman.