



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-171

For business meeting on October 24, 2025

Title

Judicial Branch Administration: Sabbatical
Request for Judge Ronald Owen Kaye

Report Type

Action Required

Effective Date

August 24, 2026

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

October 6, 2025

Recommended by

Executive and Planning Committee
Hon. Brad R. Hill, Chair

Contact

Felizia Nava-Kardon, 415-865-4280
felizia.nava-kardon@jud.ca.gov

Executive Summary

The Executive and Planning Committee recommends the approval of an unpaid sabbatical leave for Judge Ronald Owen Kaye, Superior Court of Los Angeles County, for the period of August 24, 2026, through January 8, 2027. During this sabbatical leave, Judge Kaye will participate as a visiting scholar at the Universidad de Granada and Universidad de Málaga through their respective law schools, meeting with and presenting lectures to students and faculty on multiple areas of U.S. and California civil and criminal law. Judge Kaye believes that this proposed sabbatical will enable him to return with a comparative analysis in this area, enriching the work of the mental health court while fostering outreach and relationship building for the California court system.

Recommendation

The Executive and Planning Committee recommends that the Judicial Council approve the request for an unpaid sabbatical leave for Judge Ronald Owen Kaye, Superior Court of Los Angeles County, for the period of August 24, 2026, through January 8, 2027.

Judge Kaye's application for sabbatical leave is included as Attachment A.

Relevant Previous Council Action

The council has taken no previous action regarding this request.

Analysis/Rationale

This request is being considered under the procedures set forth in California Rules of Court, rule 10.502 (Link A). Rule 10.502(d) contemplates that the committee will make a recommendation to the Judicial Council regarding requests for judicial sabbaticals.

Judge Kaye currently serves as a judge on the Superior Court of Los Angeles County at the Hollywood mental health court and has held the assignment since February 2021. Judge Kaye states that both aspects of his proposed sabbatical relate to his current assignment, where he has incorporated aspects from other disciplines into his interactions with and supervision of mentally ill patients/defendants receiving treatment at the Hollywood mental health court, which is furthering their psychological stability and the prospect of their successful return to society. He has also taught principles and procedures of mental health and criminal law to graduate students, mental health professionals, and government officials, which has further enhanced his ability to connect with people in his assigned courtroom.

Judge Kaye's participation as a visiting scholar at Universidad de Granada and Universidad de Málaga will allow him to engage with Spanish law and psychology professors and judges while examining alternative approaches in addressing the mental health needs of patients/defendants and civil respondents in the Hollywood mental health court. He is particularly interested in examining the role of the judge in the mental health context, as he believes Spanish judges play a more active, investigative role in court proceedings compared to the more arbitral role of judges in the United States. Further, he states that Spanish criminal law appears to emphasize mitigation of criminal liability based on mental illness to a greater degree than U.S. courts do but with significant commonalities.

Judge Kaye's hope is that through his exposure to the Spanish judicial system's approach to mental illness and criminality, he will learn whether its policies and procedures might be more efficient or insightful in certain aspects than those of the U.S. system. In addition to lecturing students and faculty on areas of U.S. and California civil and criminal law, Judge Kaye will also meet with experts, observe judicial proceedings, and engage in research focusing on the impact of mental illness as a basis for mitigation from criminal liability within the Spanish criminal justice system.

Judge Kaye states that examining human nature through a different lens can only enhance his effectiveness and flexibility as both a lawyer and a bench officer. He believes exposure to this legal approach in Spain would further his goal of thinking outside the box when it comes to the role a defendant's mental illness has in mitigating their criminal liability.

Policy implications

Rule 10.502(b) outlines the eligibility requirements for an unpaid sabbatical under Government Code section 68554. Judge Kaye's sabbatical proposal contains all the documentation required by rule 10.502. His application letter (see Attachment A) elaborates how his participation as a visiting scholar at Universidad de Granada and Universidad de Málaga will allow him to engage with Spanish law and psychology professors and judges while examining alternative approaches in addressing the mental health needs of patients/defendants and civil respondents in the Hollywood mental health court. Judge Kaye anticipates that this experience will lead to benefits to the administration of justice in California and enhance his perspective and approach as a judge in the Hollywood mental health court. Presiding Judge Sergio C. Tapia II of the Superior Court of Los Angeles County has written a letter of support for Judge Kaye's sabbatical (Exhibit C of Attachment A).

Upon conclusion of the sabbatical leave, Judge Kaye will submit a report in writing to the Judicial Council setting forth how the leave has benefited and will continue to benefit the administration of justice in California, along with its effect on the performance of his duties as a judicial officer.

Comments

Presiding Judge Tapia of the Superior Court of Los Angeles County is supportive of the sabbatical request and states that he also believes that this sabbatical will enhance Judge Kaye's performance and benefit the administration of justice in their court. He adds that if the request is approved, the court will work to arrange coverage for Judge Kaye's assigned courtroom.

Public comments were not solicited for this proposal because the recommendation is within the Judicial Council's purview to approve without circulation.

Alternatives considered

There were no alternatives proposed for this recommendation.

Fiscal and Operational Impacts

There is no fiscal impact. If the unpaid sabbatical leave is approved, Judge Kaye will draw no salary during his sabbatical. His period of absence will not count as service toward retirement.

Attachments and Links

1. Attachment A: Judge Ronald Owen Kaye's application for unpaid sabbatical leave
2. Link A: Cal. Rules of Court, rule 10.502, courts.ca.gov/cms/rules/index/ten/rule10_502

To: Shelley Curran, Administrative Director
 Judicial Council of California
 455 Golden Gate Avenue
 San Francisco, California 94102

From: Judge Ronald Owen Kaye

Re: Application of Judge Ronald Owen Kaye for Unpaid Sabbatical Leave (California Rule of Court 10.502) in Granada and Malaga, Spain from August 24, 2026, to January 8, 2027, Returning the Hollywood Mental Health Court on January 11, 2027

Date: August 11, 2025

I. Introduction and Proposed Sabbatical

I hereby submit this application for sabbatical leave from the Los Angeles County Superior Court for the purpose of: 1) meeting with experts, observing judicial proceedings and engaging in research focusing on the impact of mental illness as a basis for mitigation from criminal liability within the Spanish criminal justice system; and 2) participate as a visiting scholar at the Universidad de Granada and the Universidad de Malaga, through their respective law schools, meeting with and presenting lectures to the students and faculty on multiple areas of United States and California civil and criminal law. The substance of the proposed sabbatical corresponds with the Letters of Invitation as a visiting scholar I have received from the Universidad de Granada and Universidad de Malaga. *See* Exhibit A, Letter of Invitation of Professor Jose Antonio Diaz Cabiale, Secretary of the School of Law of the Universidad de Granada, and Exhibit B, Letter of Invitation of Professor Yolanda De Lucchi, Professor of Procedural Law of the Universidad de Malaga.¹

As demonstrated below, both aspects of my proposed sabbatical correspond to my assignment in the Hollywood Mental Health Court for the last four and one half years where I have: 1) incorporated aspects from other disciplines into my interaction with and supervision of mentally ill patients / defendants receiving treatment at the Hollywood Mental Health Court, thereby furthering their psychological stability and the prospect of their successful return to society; and 2) taught principles and procedures of mental health and criminal law to non-lawyers (i.e., undergraduate and graduate students, mental health professionals, government officials and members of law enforcement) which has further enhanced my communication skills and my ability to connect with people in my assigned courtroom. Consequently, both aspects of my proposed sabbatical will benefit the

¹ My primary location for lecturing and research will be out of the Universidad de Granada, where I have engaged with multiple professors from both the legal and psychology schools. However, based on the request of Professor Lucchi from Universidad de Malaga, I have agreed – if my sabbatical is approved – to provide guest lectures at that academic institution as well.

administration of justice overall and the performance of my duties on the Mental Health Court.

Attached hereto at Exhibit C is the correspondence of Judge Sergio C. Tapia II, Presiding Judge of the Los Angeles County Superior Court, approving my proposed sabbatical request, including the reasons for the approval. *See* Rule 10.502(c)(2)(C).

Both the Universidad de Granada and the Universidad de Malaga have advised me that there will be no compensation for my service, and I certify that I will not receive compensation for activities performed during the proposed sabbatical leave pursuant to Rule 10.502(g).

On completion of the sabbatical leave, I pledge to submit a report in writing to the Judicial Counsel setting forth how the sabbatical leave has benefited and will continue to benefit the administration of justice in California along with its effect on the performance of my duties as a judicial officer.

II. My Background

After graduating from UCLA Law School, in 1990 I began my legal career as a staff attorney for the Central American Refugee Center representing victims of persecution in El Salvador and Guatemala. After finishing a year trying political asylum claims, I then fulfilled my prior commitment to the law firm of Heller, Ehrman, White and McAuliffe and worked as an associate, but in 1992, I shifted careers and joined the Legal Aid Foundation of Los Angeles, focusing on the representation of individuals who were victims of home equity fraud. After trying multiple home equity fraud cases in Los Angeles Superior Court, in 1995 I became a Deputy Federal Public Defender for the Office of the Federal Public Defender, Central District of California, representing criminal defendants charged with federal criminal offenses. I continued in that position until 2003, at which time I co-founded Kaye, McLane, Bednarski & Litt, a firm which specialized in plaintiffs' civil rights litigation and criminal defense. In that position, I sought relief for my clients against municipalities for unconstitutional and wrongful imprisonment, failure to receive adequate medical and mental health care while in custody and being subjected to excessive force.

My current resume is attached hereto at Exhibit D.

In 2020, after a 30-year career as a litigator – primarily in the areas of civil rights and criminal defense – with the encouragement of several mentors on the Los Angeles Superior Court bench, I submitted my application to the Governor to be a judge. My goal was to use my extensive experience working with clients in difficult cases, my commitment to due process, and my diverse experience in litigation in the furtherance of justice in this new and important role as a judge on the Los Angeles Superior Court. I also wanted to return to an

environment where I had more frequent interaction with litigants – something which was more common before I went into private practice – and as a judge, to try and humanize their experience and be present for them in the courtroom setting. Fortunately, I received notice of my appointment from the Governor’s Secretary of Appointments, Justice Martin Jenkins, on November 13, 2020.

Presently, my wife and I just celebrated our 28th wedding anniversary and finally are “empty nesters,” with my daughter having graduated college last year and my son having done so in May. We travel, hike in the mountains and are proud “parents” of our Staffordshire Bull Terrier named Lola (often mistakenly called a pit bull), who was adopted from the Paws for Life program out of Vacaville State Prison.

III. My Examination of How Mental Illness is Addressed in the Spanish Criminal Justice System Will Benefit the Administration of Justice and the Enhancement of the Performance of My Duties as a Judicial Officer in the Hollywood Mental Health Court

A. My Background in the Hollywood Mental Health Court Presiding Over the Treatment of Mentally Ill Defendants

The Los Angeles Superior Court assigned me to Department 213 of the Hollywood Mental Health Court in February of 2021, three months after Governor Newsom appointed me to the bench. I have remained at this assignment to the date of the filing of this application for sabbatical, and I intend to return to this assignment if this application is approved.

I preside over a significant caseload – approximately 50 cases per day – where psychiatrists and psychologists assess whether defendants are competent to stand trial under PC §1368 et seq. If the defendant is found incompetent, criminal proceedings are suspended and either restoration to competency is attempted, mental health diversion is granted, or an LPS conservatorship is filed based on the defendant / patient being deemed gravely disabled. I also preside over civil commitments for individuals no longer in the criminal justice system, but who are subject to petitions which generally place them in a locked State Hospital based on the finding that they are a danger to society, e.g. Murphy Conservatorships under WIC § 5308(h)(1)(B). In both contexts, placement into the least restrictive treatment facility is a priority. Further, in both contexts I preside over jury and bench trials.

The cases brought before this court stem from minor misdemeanor violations of municipal codes (e.g. vagrancy) to capital murder. Essentially, all cases require the balancing of three distinct variables: obtaining the appropriate treatment for the defendant / patient or civil respondent, attention to the individual’s liberty interest, and the need to protect the community. Fortuitously, this assignment coincides with my previous civil rights practice

prior to my appointment to the bench, where I filed multiple lawsuits against municipalities for failing to provide adequate mental health care for people in custody.

The patients / defendants and civil respondents in our court overwhelmingly suffer from extreme psychotic disorders: schizophrenia, bipolar disorder or schizoaffective disorder, but many also have developmental disabilities. A great percentage of the defendants / patients have been unhoused for lengthy periods of time and also suffer from substance abuse disorders. As such, tailoring treatment plans and housing in order to maintain the three overriding principles – treatment, liberty and protecting the community – has been fundamental to my assignment.

1. My Experience Incorporating Outside Influences and Practices into my Courtroom

As I grew into my assignment, I made significant efforts to “think outside the box;” adopting novel practices and procedures in order to humanize the court experience and connect with the mentally ill patients / defendants or respondents, with the hope of enhancing the likelihood that they will embrace their treatment, but always prioritizing the goal of protecting the community and the patient / defendant in the future. For example:

- Off the bench, I have been attending graduations of inmates serving sentences inside Lancaster State Prison to celebrate their successful completion of classes on: emotional intelligence, gang members anonymous, and preparation for the Parole Board.² Universally, this was the first time any of these graduates ever engaged with a sitting judge outside the courtroom. During the ceremony I distribute certificates of completion to the graduates and witnessed the pride and sense of accomplishment they exhibited.

With this experience, and for the first time in the Los Angeles Mental Health Court’s history, I began the practice of setting “graduations” for defendants who complete Mental Health Diversion under PC §1001.36, distributing certificates of completion as a tangible statement of the patient / defendant’s accomplishment. The pride which the patient / defendant, their clinicians and at times, their families share at these

² My attendance at the graduations in Lancaster State Prison stems from a program I initiated in my courtroom for individuals on parole who recently were released from prison. Overwhelmingly, it is the first time each person has been in a courtroom for decades, and the first time entering through the front door in civilian clothes – not in a jumpsuit and not through a tunnel escorted by a deputy sheriff. The previously incarcerated individuals share stories with me – a sitting judge – about the anxiety they felt coming into the courthouse, the trauma they previously suffered in the courtroom, what their hopes and dreams are for the future, and the liberating experience of sharing with and being welcomed by a judge in a courtroom setting. See Exhibit E, Antoine Abou-Diwan, “LA judge to be honored for humanizing the court experience,” Los Angeles Daily Journal, February 4, 2025.

graduations is profound. *See* Exhibit F, Certificate of Completion of Mental Health Diversion.

- On the bench I take great effort to personally engage with the patients / defendants in the Hollywood Mental Health Court, referencing diverse aspects of their lives during their periodic progress appearances. For example, I highlight their reunification with their children, their period of sobriety, their receipt of their high school or college degrees, their exploration of music and art, and their practice of mindfulness and meditation – all while under Mental Health Court supervision. I am confident that my personal engagement has enhanced their connection with the Court, and their commitment to their treatment plan. *See*, Exhibit G, Joe Garcia “Inside LA’s mental health court: “Meth, homelessness and the judge who wants to help” CalMatters, April 23, 2025.

Although I was inclined to try to more humanize the court experience for the patients / defendants from the beginning of my assignment to the Mental Health Court, this motivation was further bolstered by my examination of the work done with mentally ill patients by Franco Basaglia, a psychiatrist and neurologist based out of Trieste, Italy. In the 1970s in Trieste, the government moved away from institutionalization of the mentally ill towards a system centered on community mental health centers, social enterprises, and supportive housing. The model emphasizes treating individuals with dignity and respect, fostering their recovery and their integration into the community. The Trieste method of direct, personal engagement with the mentally ill patient has been called “radical hospitality,” and I have incorporated this approach into my engagement with patients / defendants and civil respondents, particularly in my supervision of their Mental Health Diversion.

- Methamphetamine abuse is pervasive for unhoused people in Los Angeles suffering from psychotic disorders, and it profoundly interferes with patients / defendants’ treatment at residential facilities during their period of Mental Health Diversion. After connecting with leaders in the field of substance abuse treatment at the Forensic Mental Health Association of California’s 2024 conference, I learned about the Contingency Management approach to treatment as being one of the most effective means of addressing methamphetamine addiction. This approach encourages sobriety by providing tangible incentives to methamphetamine addicts to refrain from using, e.g., by providing gift cards. Individuals who test negative and continue to participate in treatment receive periodic rewards for their success. My understanding is that data assessment of this approach demonstrates it is by far the most successful intervention for methamphetamine abuse available.

Consequently, after meeting with leaders and further researching contingency management, I encouraged attorneys assigned to my courtroom to pursue this avenue of treatment and I have connected patients / defendants to resources in Los Angeles County which provide this treatment. The results of this approach have been very positive. It is noteworthy that the Los Angeles County Office of Diversion and Reentry has recently incorporated Contingency Management treatment into their Mental Health Diversion protocol.

B. My Examination of How the Spanish Criminal Justice System Addresses Mental Illness as a Basis for Mitigation of Criminal Liability Will Expose Me to a Different Approach of Addressing Mental Illness in the California Criminal Justice System

Consistent with the examples highlighted above, through engagement with Spanish law school professors, psychology professors and Spanish judges, along with my observation of court proceedings, I hope to examine and perhaps adopt alternative approaches in addressing mental health needs of the patients / defendants and civil respondents in the Hollywood Mental Health Court. First, it will be particularly interesting to examine the role of the judge in the mental health context, as Spanish judges play a more active, investigative role in court proceedings, particularly in criminal cases, compared to the more passive, arbiter role of judges in the United States. Spanish judges, especially investigating judges, are tasked with gathering evidence, questioning witnesses, and building their cases, in contrast to United States judges who primarily oversee the proceedings and rule on legal matters presented by opposing parties.

Further, Spanish criminal law appears to emphasize mitigation of criminal liability based on mental illness to a greater degree than in the United States courts, with significant commonalities. Spanish criminal law establishes that a person may be declared criminally liable for the actions being tried if, at the time of committing the criminal offense, they had full capacity to understand the unlawfulness of the act (cognitive capacity) as well as the capacity to direct their action in accordance with this understanding (volitional capacity). There are three levels of mental circumstances that can change criminal responsibility in Spanish law: 1) at the full degree of criminal responsibility, the understanding and will of the criminal defendant are not distorted or subject to reduction based on mental illnesses; 2) at the level of partial criminal responsibility, the person suffers or has suffered a mental alteration or illness that interferes with his or her higher mental functions, without completely annulling them; and 3) at the level of non-criminal responsibility, where the cognitive and/or volitional capacity of the defendant is annulled, and there is a perfect causal correspondence between the disorder and the crime.

Like our criminal justice system, the mental state of the defendant must be reconstructed retrospectively at the time of the crime, and the need to establish a causal nexus between the psychological disability and the crime alleged to have been committed.

However, from my review of the literature and speaking with professors in Granada and Malaga, my impression is that the impact of mental health factors in mitigating criminal liability is even more prevalent than in California. This includes taking into consideration the mitigating impact of factors such as serious addiction and a defendant's fit of rage or "blindness."

Inherent to this analysis is the need for the Spanish court, primarily through the investigating judge, to establish investigative procedures and to receive evidence and argument in support of and against such mitigation. It also requires alternative sentencing / supervision mechanisms – often in the civil context – to supervise and treat those defendants who have received such mitigation, thereby protecting the safety of the community and promoting the defendants' reentry into society in the future.

This mitigating role or a full exculpatory impact on the defendant's criminal exposure, somewhat akin to the concept of Not Guilty by Reason of Insanity pursuant to PC §1026, and Mental Health Diversion in California under PC §1001.36, are legal concepts I employ every day on the bench in Mental Health Court. My hope is that through my exposure to the Spanish judicial system's different approach to mental illness and criminality, I will learn whether their system has policies and procedures which are perhaps more efficient and/or more insightful in certain aspects than our system. If so, as referenced above, I could possibly incorporate novel procedures into my unique assignment in the Hollywood Mental Health Court.

Preliminarily, through my discussions with professors in Universidad de Granada and Universidad de Malaga, I am confident that I will be able to engage in meetings with both legal and psychology scholars who have done research in this area. Already, I have made contact with two professors who are very supportive of my proposed research and my assessment of the Spanish system regarding the treatment of the mentally ill, particularly as a sitting California Superior Court judge. I also am hopeful, with the help these connections, to meet with judges both in the local court of Granada and in the Tribunal Supremo (Supreme Court) in Madrid to discuss this issue, and I anticipate observing court proceedings and watching the application of the law firsthand.

As discussed above, my philosophy on the bench has always been to think "outside of the box" when addressing litigants in my courtroom who are receiving treatment for mental health disabilities, something which has proven to be very effective. But I have always believed that examining human nature through a "different lens" can only enhance my effectiveness and flexibility as both a lawyer and now as a bench officer. Exposure to this novel legal approach in Spain – which appears to be farther reaching than our system with regard to the role a defendant's mental illness has in mitigating his criminal liability – will further that goal.

IV. Lecturing and Meeting with Spanish Professors, Judges and Students Will Benefit the Administration of Justice and Enhancement of My Performance of My Official Duties as a Judicial Officer in the Hollywood Mental Health Court

While on the bench for the past four and a half years, I have been teaching mental health experts, law students, college students, government officials and law enforcement officers about mental health law and the Hollywood Mental Health Court. For example:

- At the request of psychiatrists on our Mental Health Expert panel, I created a seminar on criminal law for both USC and UCLA psychiatry fellows who have graduated medical school. Now in its third year, five to ten medical students attend seminar sessions discussing fundamental principles and procedures of United States and California criminal law, procedure and evidence; ultimately focusing on their work in our court as experts evaluating patients for competency and dangerousness
- I lectured at the 2025 Forensic Mental Health Association of California's annual conference to hundreds of mental health professionals reflecting the expectations of the Court – both in report writing and in testifying – in receiving mental health opinions on competency, dangerousness, grave disability and capacity for purposes of involuntary medication.
- I have been a guest lecturer for UCLA law students and USC undergraduate students on numerous occasions discussing mental health law, and also with regard to my prior civil rights practice and my transition to the bench.
- I have lectured to government officials and law enforcement officers, most recently at the Hoover Symposium at Stanford University, on mental health law, diversion, and other aspects of the Hollywood Mental Health Court.

As demonstrated in the Letters of Invitation, attached hereto at Exhibits A and B, I anticipate lecturing to students and faculty in English³ at the Universidad de Granada and Universidad de Malaga on mental health law, but also on many other aspects from my legal experience prior to being appointed to the bench – specifically criminal law and civil rights law. This includes the following topics:

1. American criminal procedure;
2. American civil procedure;
3. Fundamental aspects of criminal law pertaining to the Fifth and Sixth Amendments of the American Constitution, particularly reflecting due process;

³ I also have a solid foundation in speaking Spanish, and as such, have represented Spanish speaking clients in my prior law practice as a civil rights and criminal defense attorney.

4. Fundamental civil rights issues pertaining to equal protection, and the Civil Rights Act reflecting my experience representing individuals who were wrongfully imprisoned;
5. How American law addresses individuals with mental health maladies – including the concepts of incompetent to stand trial, not guilty by reason of insanity and civil commitments for individuals deemed a danger to society; and
6. Trial advocacy – particularly discussing the American legal system’s principle of cross-examination.

Akin to my past lecturing described above – outside of the criminal law seminar presented to USC and UCLA psychiatry fellows – I anticipate these lectures will focus on general principles of these various areas of law, but I also anticipate highlighting cases from my experience in private practice and on the bench, often referencing sections of transcripts from court proceedings, but of course not referencing any identifying information of the parties.

In my discussions with Professors Jose Antonio Diaz Cabiale and Yolanda De Lucchi, I also anticipate having regular informal “brown bag” meetings with professors and students to hash out the differences between our two legal systems, and I will create regular office hours to enable students and faculty to reach out and meet with me individually. Presently, I take great pride and interest in mentoring many law students and young lawyers – including having sworn in many new attorneys to the bar – and I find one on one and small group interaction with young lawyers very productive and satisfying. I regularly consult with young attorneys and law students about our court, my prior law practice, and their career aspirations. I find this service to individuals in the beginning of their law careers to be very satisfying, and my goal is to have a similar role, if possible, in Spain.

The vast majority of my teaching experience has focused on working with non-lawyers: psychiatrists, law students and undergraduate students, government officials and law enforcement officers. As such, I am comfortable breaking down complex legal concepts to people who are not particularly fluent in the language of the law.

Correspondingly, I also take great effort in my courtroom to simplify and explain court procedures to the patients / defendants, and also to the parents and friends who attend court proceedings. I have found that the ability to speak clearly, concretely and as simply as possible to the patients / defendants and their parents and friends who attend court appearances reduces the anxiety of the courtroom experience and provides them with realistic expectations of what will occur in the Mental Health Court proceedings.

I anticipate that teaching to and meeting with Spanish law students and faculty will further enhance my communication skills for the courtroom, breaking down United States and California legal concepts to individuals completely unfamiliar with the purpose behind

the law and the balancing of contrasting interests.⁴ This practice will inherently benefit the performance of my official duties in presiding over the Mental Health Court.

I also hope to nurture relationships with professors, students and judges in the Spanish legal system, and will invite them to visit the Los Angeles Superior Court in the future as my guest. Presently, I consistently receive representatives of other branches of the judiciary, representatives of local and statewide government, attorneys from my past civil rights and criminal law practice, and academics; all who observe the proceedings in my courtroom and who afterward discuss my approach to addressing mental health and criminal justice issues in Los Angeles. Hopefully, I can engender a similar relationship with individuals from my sabbatical in Spain to also be my guests in our courtroom and be able to present our unique, compelling and critical area of the law to them.

V. After I Return from Sabbatical, I Intend to Share My Knowledge and Experiences with Our Court and Other Courts throughout California

Since being appointed to the bench, I have made it a priority to reach out to my fellow judges about the programs I employ in my courtroom:

First, after I initiated the in-court program for previously incarcerated individuals reentering society, in September of 2021 I gave a presentation to members of the Los Angeles Superior Court judiciary about the Anti-Recidivism Coalition, a state wide group, of which I previously was a Board member, which provides treatment, housing and community for people reentering society from prison after being granted parole. Several criminal judges advised me that they were going to make referrals to this program to defendants in their courts in post-conviction matters.

Second, in September of 2024 at the California Judges Association annual conference in San Jose, I facilitated a panel about the importance for members of the bench to personally engage with criminal defendants by treating them with respect in the courtroom, rather than simply as cases on the docket. I brought two men with me to speak at the conference session – one who served 42 years in prison after being convicted at 17 years old, and the other who served 25 years who came from a particularly dysfunctional family background. Both men explained the alienation they felt in the courtroom, the failure to even be addressed personally by the judge, specifically highlighting how the judges in their cases failed to treat them with humanity. Both men further described how they have been thriving and

⁴ For example, in my criminal law seminar with USC and UCLA Psychiatry Fellows, I begin my first lecture with the goals of protecting individual liberties preserved through the Fifth, Sixth and Fourteenth Amendments juxtaposed with protecting the safety of the community, a philosophical and political tension they generally have not thought about.

productive in society since they had been released on parole. After the presentation, we sat for a lengthy period with multiple judges from the audience discussing the importance of how they treat criminal defendants in court proceedings – beyond the law, beyond the sentence imposed – and how by doing so, the system of justice is benefitted.

Finally, I have reached out and created relationships with other judges on the California Judges Association Mental Health Committee – of which I’m a member – and have been on panels with Mental Health judges from San Francisco Superior Court, collaborating about the commonalities and differences in our approaches.

My hope is to return to the California judiciary after the proposed sabbatical and use the information I have learned to inspire other judges about different approaches / different lenses to address mental health disabilities and its impact on criminal liability in California.

VI. Conclusion

I view this proposed sabbatical as a unique opportunity to enhance my skills and insight as a bench officer in the Hollywood Mental Health Court, thereby benefitting my performance on the bench as well as the administration of justice. I anticipate that being an astute observer of another culture’s efforts to address mental illness – a critically important component for the fair administration of justice – will give me greater wisdom for my own decision making. I also look forward to being an “ambassador” of our California legal system, sharing my legal experience as a bench officer and previously as an attorney with Spanish students, professors and judges through lectures and meetings. I envision this opportunity as a wonderful exchange of knowledge through my immersion into another legal culture as well as my ability to share insights from our legal system, which I have been so fortunate to have participated in from a variety of positions.

I had the opportunity to take advantage of a similar exchange with lawyers and judges from another culture many years ago, where I experienced first-hand the profound benefits of such an exchange as a criminal defense attorney. In the year 2000, as a Deputy Federal Public Defender in the Central District of California, I was very fortunate to have been granted a leave of absence to teach a seminar on United States criminal law to members of the judiciary of the Kingdom of Bhutan. *See Exhibit H, Ronald Kaye “Criminal Justice in Bhutan,” UCLA Law Magazine Fall/Winter 2000-2001.* Although my role primary was that of an instructor, I was exposed to an entirely new perspective through my engaging with experts on Bhutanese jurisprudence, and particularly criminal law. I was very much mentored by the then Chief Justice of Bhutan, Sonam Tobgye, who I keep in touch with to this day and discuss aspects of the law. While engaging with members of the Bhutanese judiciary I was immersed into their criminal justice mindset, which is heavily influence by the Buddhist principles of impermanence and change: specifically, that a criminal

defendant's likelihood of recidivism and his anti-social personality will most likely inevitably transform; that it is not a static characteristic.

When I returned to Los Angeles after my time in Bhutan, I resumed my position as a Deputy Federal Public Defender, but I truly understood that my perspective had been enhanced by being immersed into the Bhutanese legal system and this concept of change. Although not overt, I believe I incorporated this concept of the possibility of change into my consciousness and it manifest in my sentencing arguments on behalf of my clients – criminal defendants facing prison sentences in federal custody.

Twenty-five years later, I similarly believe that my proposed immersion into the Spanish criminal justice system and its treatment of patients / defendants suffering from mental illness, along with my engagement with Spanish academics, students and judges, will enhance my perspective and broaden my approach as a judge in the Hollywood Mental Health Court when I return from this proposed sabbatical.



UNIVERSIDAD DE GRANADA

Dear Judge Kaye:

On behalf of the Faculty of Law at the Universidad de Granada, I would like to offer you a position as a visiting scholar for the autumn semester of 2026, from September to January, 2027. This would be an unpaid position.

With your background in both American criminal law and civil rights law and your experience adjudicating both criminal and civil matters involving individuals with mental health disabilities as a judge in the Los Angeles Mental Health Court, we anticipate you will be a great addition to both the faculty and the students at the University.

I have discussed your interest in learning about the impact of a defendant's mental illness on addressing criminal responsibility in the Spanish criminal justice system with our faculty and we will be able to facilitate meetings with experts in criminology, legal procedure and psychology. This includes Professor Manuel Gabriel Jimenez Torres, who has engaged in extensive research on this topic within the Department of Personality, Evaluation and Psychological Treatment, and Professor / Secretary Jesus Barquin Sanz of Institute of Criminology. We will also act as a liaison for you to meet with Spanish judges, both in Granada and in the Supreme Court in Madrid, to discuss this compelling area of the law.

In addition, pursuant to our discussions, we envision that you would lecture throughout your stay with the Universidad de Granada. Topics we hope you can address are:

1. American criminal procedure.
2. American civil procedure.

3. Fundamental aspects of criminal law pertaining to the Fifth and Sixth Amendments of the American Constitution, particularly reflecting due process.
4. Fundamental civil rights issues pertaining to equal protection, and the Civil Rights Act reflecting your experience representing individuals who were wrongfully imprisoned.
5. How American law addresses individuals with mental health maladies - including the concepts of incompetent to stand trial and civil commitments for individuals deemed a danger to society; and
6. Trial advocacy - particularly discussing the American legal system's principle of cross-examination.

We anticipate that your lectures will be presented in English, as our students uniformly have a sufficient mastery of English to fully participate in the lectures.

We are very excited to have you collaborate with the faculty and the students at the Universidad de Granada in the autumn semester of 2026. This is a novel opportunity for our University to learn from a Judge from the United States, who also has extensive experience as an attorney in both criminal and civil rights law. We anticipate you will be a rich addition to our University.

Sincerely,

José Antonio Díaz Cabiale
SECRETARIO
DEL DEPARTAMENTO
DE DERECHO PROCESAL Y DERECHO ECLESIASTICO DEL ESTADO

Jose Antonio
Diaz Cabiale

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Jose Antonio Diaz Cabiale
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Granada 14 de abril de 2025

Málaga, January, 16th 2025

Dear Judge Kaye,

It was a pleasure meeting with you and discussing your work in the Los Angeles Superior Court. On behalf of the Universidad de Malaga, we would like to offer you the position of visiting scholar for the semester starting September of 2026, completing by the end of the year, 2026. As I discussed with both you and my colleague Professor Diaz Cabale, as you will be residing in Granada and your principle responsibilities will be with the Universidad de Granada, you have agreed to travel to Malaga multiple times during the semester to provide lectures to students and faculty about the criminal justice system of the United States and the application of criminal law on people with mental illnesses.

The topics you shared from your outline of the criminal law seminar you teach in Los Angeles to forensic psychiatry fellows would be a wonderful addition to our law students' education, as it contrasts dramatically from our system. I discussed it with fellow faculty members and we are very excited to have you share your knowledge and experience.

Finally, as we discussed, there would be no compensation or salary for you, as there are no such funds available. We very much appreciate that you have considered donating your time to the Universidad without payment.

I very much look forward to collaborating with you in the future

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Yolanda De Lucchi
Full Professor in Procedural Law
University of Málaga



The Superior Court

111 NORTH HILL STREET
LOS ANGELES, CALIFORNIA 90012
CHAMBERS OF
SERGIO C. TAPIA II
PRESIDING JUDGE

TELEPHONE
(213) 633-0400

August 8, 2025

Shelley Curran, Administrative Director
Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102

Re: Judicial Sabbatical for Judge Ronald Owen Kaye from August 26, 2026, to January 8, 2027

Dear Ms. Curran:

I am writing to inform you that I have approved Judge Ronald Owen Kaye's request to apply for an unpaid judicial sabbatical in accordance with California Rules of Court, rule 10.502, and Government Code section 68554. If the Executive and Planning Committee of the Judicial Council recommends granting his sabbatical request and the Judicial Council approves it, Judge Kaye will be absent from the Superior Court of Los Angeles County from August 24, 2026, to January 8, 2027.

During this period, Judge Kaye will serve as a visiting scholar at the University of Granada and the University of Malaga in Spain. He plans to examine how the Spanish legal system addresses criminal liability in cases where the accused has a mental illness. Additionally, he will be lecturing to Spanish legal scholars, judges, and law students on topics related to California and federal law, drawing on his prior law practice and judicial experience. He has assured me that his work during the sabbatical will comply with the Canons of the California Code of Judicial Ethics.

For the past four and a half years, Judge Kaye has presided in one of our Mental Health Courts, where he has worked with individuals deemed incompetent to stand trial due to mental health disabilities. Judge Kaye believes that this proposed sabbatical will enable him to return with a comparative analysis in this area, enriching the work of the Mental Health Court while also fostering outreach and relationship-building for the California court system. I share Judge Kaye's belief that this sabbatical will enhance his performance and benefit the administration of justice in our court. If Judge Kaye's absence is approved, we will work to arrange coverage for his assigned courtroom.

Sincerely,

A handwritten signature in black ink, reading "Sergio C. Tapia II". The signature is fluid and cursive, with a large, stylized "S" at the beginning.

SERGIO C. TAPIA II
Presiding Judge

c: Hon. Ricardo R. Ocampo, Assistant Presiding Judge
Hon. Ronald Owen Kaye, Judge of the Los Angeles Superior Court

Ronald Owen Kaye

Telephone: [REDACTED]

Email: [REDACTED]

Education

1983 B.A. UCLA – Magna Cum Laude, Phi Beta Kappa

1989 J.D. UCLA School of Law

1989 M.A. UCLA Graduate School of Urban Planning

Professional

- Los Angeles County Superior Court – Hollywood Mental Health Courthouse (February 2021 to the present)
Superior Court Judge presiding over all proceedings, including jury and bench trials related to: Competency under PC§1368; Civil Commitments pursuant to PC §§2970 and 1026.5, WIC §§5008(h)(1)(B) and 6500; and evidentiary hearings pertaining to Petitions for Involuntary Hospitalization pursuant to WIC §5250. Created and administer a program where individuals released from prison engage in court with a sitting bench officer and discuss their reentry into society.
- Kaye, McLane, Bednarski LLP – Kaye, McLane, Bednarski & Litt, LLP (2003 to the 2020)
Founder and Equity Partner – Lead counsel for plaintiffs in federal civil rights litigation against government entities claiming wrongful imprisonment, excessive force, and deprivation of constitutionally mandated mental health and medical care in custody; Criminal defense counsel in both federal and California courts representing individuals charged with white collar crimes, espionage, computer crimes and crimes against individuals.
- Federal Public Defender in the Central District of California (1995 to 2003)
Deputy Federal Public Defender – Represented defendants in all aspects of litigation in federal criminal proceedings in the Central District of California. Practice consisted of extensive trial, motions, and sentencing work before the Federal District Court; and appellate advocacy before the Ninth Circuit Court of Appeals.
- Legal Aid Foundation of Los Angeles (1992 to 1995)
Staff Attorney – Represented victims of home equity fraud – illegal foreclosures and contractor fraud, and “individual rights cases” – victims of crime before the California Board of Control and individuals convicted of misdemeanor crimes in their expungement proceedings. Practice consisted of full responsibility in all aspects of litigation and negotiation on behalf of indigent clients.

- Heller, Ehrman, White & McAuliffe (1991 to 1992)
Associate - Engaged in research, drafted memoranda, wrote letters, and argued before administrative bodies in the areas of hazardous waste litigation and land use; counseled Central American Refugees on their political asylum claims; interviewed witnesses and performed research for the Christopher Commission, tasked with producing a report analyzing unconstitutional practices of the Los Angeles Police Department.
- Central American Refugee Center - CARECEN (1990 to 1991)
Staff Attorney - Directed the legal department in the representation of refugees in their political asylum claims in the United States. Argued for relief before the Immigration Court; wrote appeal briefs for the Board of Immigration Appeals; supervised volunteer attorneys on pro bono work; headed a legal delegation to El Salvador investigating the murder of the Salvadoran Jesuit priests killed at the Jesuit University by the Salvadoran military on November 16, 1989.

Teaching Experience & Other Legal Experience:

- Presently Teaching Criminal Law Seminars to Forensic Psychiatry Fellows from USC and UCLA Medical Schools
- Member of the Mental Health Committee of the California Judges Association
- Previously Board Member and Presently Advisory Board Member of the Anti-Recidivism Coalition
- Advisory Board Member of the Loyola Law School Center for Juvenile Law & Policy
- Taught Seminar in U.S. Criminal Law – Judiciary of the Kingdom of Bhutan – 2000
- President of Los Angeles Chapter of National Lawyers Guild – 1995
- Led Fact Finding Delegation to El Salvador Investigating Murder of the Jesuit Priests – 1990
- Teaching Assistant in UCLA Undergraduate Legal Communication Course – 1986-1988

Honors and Awards

2025 The Criminal Courts Bar of Los Angeles Outstanding Community Service Award
 2019 Daily Journal Top 100 Lawyers in California
 2016 The Criminal Courts Bar of Los Angeles Johnnie Cochran Memorial Award
 2015 The ACLU of Southern California Prisoners' Rights Award
 2015 The National Lawyers Guild Honoree
 2014 Daily Journal Top 100 Lawyers in California
 2010 Daily Journal Top 100 Lawyers in California
 2010 California Lawyer Magazine - Attorney of the Year Award (CLAY)
 2009-2020 Listed as a California "Super Lawyer"
 1989 Fulbright Fellowship Grantee

LOS ANGELES

Daily Journal

Since 1888

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LA judge to be honored for humanizing the court experience

By Antoine Abou-Diwan
Daily Journal Staff writer

Vance Harris is filing his first ever tax return this year. It's one of many firsts for the 33-year-old.

"I'm not going through life as a traditional adult person would," Harris said. "From losing my job and filing for unemployment – it's the first year I'm doing taxes – it's the nerve-wracking. There are things you second-guess and overthink."

Harris is a bus driver for the Los Angeles County Metropolitan

Transportation Authority. He got a late start on conventional adult life because he was imprisoned from age 18 to 32 for carjacking, he said. He was released in March 2023 to a halfway house and has been trying to adjust to daily life ever since. Key to that are efforts by Los Angeles County Superior Court Judge Ronald Owen Kaye.

Gov. Gavin Newsom appointed Kaye to the Los Angeles County Superior Court in 2020. Kaye was placed in the mental health court

in Hollywood. That assignment, he said, was fortuitous, because it balances the protection of society and defendants, many of whom struggle with schizophrenia and other mental disorders. It also meshes with his decades of civil rights work and criminal defense.

"When I was first appointed to bench, the first month I went on retreat with people returning to society. It was my son, me and about 30 former inmates in the wilderness, in the mountains," Kaye said. "Ev-

erybody went around in a circle and talked about what it was like to be back, how they were dealing with trauma."

One of the men on that trip was locked up in the supermax Pelican Bay State Prison for 30 years, Kaye said. The judge said he did not recall the crime for which the man was imprisoned.

"He started crying. He said, 'I can't believe a judge is treating me with humanity and addressing me as a person,'" Kaye said.

That trip inspired Kaye. He currently works with the Anti-Recidivism Coalition, whose formerly incarcerated members visit his court twice per month. Unlike their past experiences with the court system, they enter the building through the front door, go through security like the public, and observe the proceedings from the gallery. When Kaye is done with his calendar, he stops to talk with his visitors.

"They have never been addressed

See Page 4 — LA

LA Judge Ronald Kaye to be honored for humanizing court experience

Continued from page 1

in a positive way by sheriff's deputies," Kaye said. "They watch litigation."

They watch mental health court. They're basically taken aback. They talk about what it was like engaging with their case. They talk about their hopes for the future."

Kaye said he also has talked informally with other judges about what it means for defendants to be treated as human beings, without impacting their sentences.

Harris said he was arrested after he stole a car in Northridge. One of his charges was attempted murder, which he beat at trial.

"As a defendant, I did not feel I was innocent until proven guilty. I did

what I did. I'm not trying to downplay it," Harris said.

"But how you get treated [in court] is so nasty," Harris continued. "You get treated as if you're invisible. They talk to the attorney and the DA. There is no acknowledgement of you. The only time you speak is when you say what is your plea."

Kaye's interaction with former inmates is "heart-warming," Harris said. "When you're in the system you're a number. It doesn't matter if you're there for murder or petty theft. Judge Kaye pays attention to details. He asks you, 'How are you? How are you feeling?'"

That work is why the Criminal Courts Bar Association of Los An-

geles will give Kaye an award for outstanding community service in April.

"The award is usually given to a lawyer. It is given to somebody that does a great job but is willing to go outside the legal profession to do community service work," said the association's executive director, Christopher Chaney.

"He goes above and beyond being a judge," Chaney said about Kaye.

"He goes to different prisons and counsels people on mental health issues. He's a very active man outside being a judge, and where he's a judge is very difficult, with long calendars, lots of people."



Judge Ronald Owen Kaye

antoine_abou-diwan@dailyjournal.com

Certificate of Completion

THIS IS TO CERTIFY THAT

Has successfully completed the
Office of Diversion and Reentry Program



Ronald Owen Kaye
Los Angeles Superior Court Judge

Date



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MENTAL HEALTH

Inside LA's mental health court: Meth, homelessness and the judge who wants to help



BY JOE GARCIA
APRIL 23, 2025

Republish



Los Angeles County Superior Court Judge Ronald Owen Kaye in his office at the Hollywood Courthouse in Los Angeles on March 12, 2025. Photo by Jules Hotz for CalMatters

IN SUMMARY

Addiction and homelessness are a constant presence in L.A.'s mental health court. Its judge wants defendants to "feel like someone who's deep in the system of power cares about them."

In a Hollywood courtroom, prosecutor and defense attorney both asserted their positions on how to best administer justice to the man appearing before them in shackled restraints. Judge Ronald Owen Kaye surveyed documents on his computer, then looked over his eyeglasses from person to person.

"We've got quite a lot going on here," Kaye said that day in February. He then turned his focus squarely to the defendant. With a state-appointed psychiatrist's evaluation now on file, the judge wanted to discuss next steps. "I'd like to hear where you stand on all this, sir. Let's talk turkey."

"I'm sorry, your Honor," responded the man in earnest. "I wasn't planning on having turkey for lunch. I was kinda hoping for tuna."

With a gentle smile, Kaye removed his glasses and patiently explained to the troubled defendant how the turn-of-phrase simply meant it was time to get to business. In Kaye's Los Angeles Superior Court, that business often entails balancing criminal justice with appropriate [mental health](#) care needs to address both public safety and individual accountability.

When a criminal defendant's mental competency to stand trial is at issue, their case will get redirected to a handful of courtrooms like Kaye's. In partnership with [L.A. County's Office of Diversion and Reentry](#), these mental health courts can also further assess the alleged offenders for treatment and housing placement.

Defendants appear before Judge Kaye via different means. Many are transported from L.A. County Jail, shackled and ushered into the courtroom by sheriff's deputies. They often stand disheveled, maybe aloof or hypervigilant, lucid or confused, bouncy or somber.



Los Angeles County Superior Court's Hollywood Courthouse on March 12, 2025. Photo by Jules Hotz for CalMatters

Others appear remotely from two video monitors live streamed from county and state facilities. Some even enter the building through the front door on their own volition.

In March, one defendant nodded and stared unblinking through the video screens as his public defender told the court his client was ready to accept treatment and be transferred from county jail to a state hospital.

“Is that what you want, sir?” said Kaye. “We want to get you out of that locked box as soon as possible and get you where you can get help, but I need to hear it from you.”

“I want to go home,” the man said, his body tense as he leaned closer to the camera in distress. “I want to go home.”

Both Kaye and the public defender explained to him that being released was not an option. Either the court would find him incompetent and place him in hospitalized custody — or if he was found competent, he would

stand trial in a criminal court and face his felony charges.

“I want to go to trial so I can go home,” the man continued.

“Sir, in this court you absolutely have the right to a trial to determine mental competency,” Judge Kaye assured him. “But your attorney and the prosecutor have agreed in the best interests of justice to get you treatment at the state hospital. You don’t want that?”

The man’s wild-eyed expression told the story of his incompetence. “Yes, I want to go home.”

Judge Kaye postponed a ruling for 30 days. “Talk to your client,” he said to the defender. “But if he says he wants a trial here, we’ll have to honor that.”

On a Friday in February, a woman appeared on the monitors from a treatment facility, with a clinician beside her raving about her steady improvement over the last six months. She smiled and waved as Kaye listened to her positive evaluation report.

“We are all so happy to see you doing so well,” Kaye said. “Just continue on this path and you’ll be back with your family, okay?”

“Yes, judge,” she said. “Thank you for changing my life.” Like many people receiving services through the Office of Diversion and Reentry, she found stable mental health care through the court’s ability to offer and monitor residential housing and treatment.

“No, no,” he said. “You’re the one working to get yourself better. Keep it up.”

Kaye’s path to mental health court

A former legal aid attorney, federal public defender and [civil rights attorney](#) who’d [filed multiple lawsuits against the county](#) for deprivation of mental health care, Kaye suddenly found himself assigned to the mental health court soon after Gov. Gavin Newsom appointed him to the bench in 2020.

“I really didn’t know what to expect, but I did know from my prior civil rights practice a bit about the lack of mental health care in Los Angeles County,” said Kaye. “So I felt how fortuitous that somebody like me would have the authority to assure that, as much as possible, quality care is provided.”

“I’m always balancing these issues of liberty — people’s freedom; and treatment — getting them quality of care; and making sure the community is safe. That’s essentially what I do in virtually every aspect of my job.”



First: Los Angeles County Superior Court Judge Ronald Owen Kaye at the Hollywood Courthouse. **Last:** A 2004 article from the Los Angeles Times on display in Kaye’s office, on March 12, 2025. Photos by Jules Hotz for CalMatters

Kaye said that the last handful of years on the bench have opened his eyes to the ravaging toll methamphetamine abuse extracts on a person’s long-term mental health. “I also never knew firsthand the level of methamphetamine abuse that is just plaguing the homeless and the mentally ill community, and how profoundly difficult methamphetamine is as a drug to kick,” he said.

He has also been struck by the effectiveness of psychotropic medications. “I had no idea of how they can interrupt delusional thinking and give a person a level of stability,” he said. “With the right care and the right psychotropic medications, I’ve seen miracles happen.”

Where the circumstances merit intervention and housing, Kaye tries to look at a person's full history and make a positive impact on their lives. But it's complicated, particularly when he encounters people who've been in and out of the criminal justice and mental health systems for years or even decades.

"I deal with chronic homelessness, chronic mental illness, and drug abuse," he said. "The drug abuse is often a manifestation of the mental illness because they're engaged in self-medication — and that all manifests in criminal conduct."

Launched in 2015, L.A.'s Diversion and Reentry services have helped more than 13,000 incarcerated persons with diagnosed mental health disorders transition successfully out of county jail. The program currently handles over 2,500 participants in residential housing treatment, with roughly 1,400 in permanent supportive housing.

California's Department of State Hospitals began a pilot program in 2018 that helped implement diversion services in 28 additional counties to address the growing numbers of criminal defendants deemed [incompetent to stand trial](#), many of whom also deal with homelessness and/or substance abuse.

Effective June 30, the pilot program will end — to be replaced by permanent diversion services available to all counties that choose to implement them. According to the Department of State Hospitals, 10 permanent county programs have already been contracted, and 14 others are currently in the process of having their contracts finalized.



Tents in Skid Row in downtown Los Angeles on June 20, 2021. Photo by Teun Voeten, Sipa USA via Reuters

On another day in Kaye’s court, a middle-aged man appeared in person for a scheduled progress check and stood at the small podium on the public side of the courtroom. He and Kaye spoke about his progress in outpatient treatment.

“Are you still living in that RV on the street?” Kaye asked him. “Are you working?”

“I’m just barely getting by, your Honor,” he said. “It’s a struggle.”

“We can get you in a housing program right now,” the judge said. “Hot meals, a safe bed, a stable health care environment. But I can’t force that on you. It’s your decision.”

The man declined Kaye’s offer, citing how he lives in his vehicle with his girlfriend and their dog — and they all need to stay together. He walked out of the court with a follow-up appearance scheduled in 60 days.

“My vision, if at all possible, is to make people feel comfortable in court and make them feel like they matter,” he said. “They can actually be looked at in the eye by someone in authority and feel like someone who’s deep in the system of power cares about them.”

New courtroom experiences for former prisoners

The human potential for growth — and to be able to earn a second chance — is a recurring theme of Kaye’s career. Away from the bench, he also works with the formerly incarcerated community to provide emotional support and inspiration.

In collaboration with the Anti-Recidivism Coalition and the Los Angeles Innocence Project, Kaye meets with newly paroled people, welcoming them into his courtroom and chambers, where he is free of his robe and the usual symbols of authority.

Franky Carrillo, chief policy director for the Innocence Project in L.A., knows Kaye well. After being exonerated in 2011 for a wrongful murder conviction, Carrillo first partnered with Kaye to bring a civil lawsuit against L.A. County, a case that resulted in a \$10 million settlement approved by the Board of Supervisors in 2016.

Through his nonprofit, Restorative Project, Carrillo has brought Kaye on retreats with mixed groups of formerly incarcerated ex-lifers, criminal justice reform advocates and allies to speak and help build a stronger sense of community.

“I think it’s very healing to have Judge Kaye be present, in order to maybe take away the stigma of what a judge might’ve signified in someone’s life — 20, 30 years prior, when they were sentenced,” said Carrillo. “Lo’ and behold, you’re free, and this is your first interaction with a judge on the outside.”

Mery Alaberkyan served as Judge Kaye’s judicial assistant from 2023 to 2024, while starting Loyola Law School. Her time in his court shaped her vision of the kind of lawyer she hopes to become.

The most important lesson Alaberkyan took away from Kaye’s courtroom demeanor was his humanizing style of communication.

“He would greet every single defendant, making sure they were acknowledged and that they understood what was happening in the courtroom,” she said. “You see people in a jumpsuit and most people’s reaction is to shy away, but he actually made sure that defendants were treated like this is *their* case and not something that was happening *to* them — like, whatever you need to say, you may say.”



Los Angeles County Superior Court Judge Ronald Owen Kaye in his office at the Hollywood Courthouse in Los Angeles on March 12, 2025. Photo by Jules Hotz for CalMatters

On April 5, the Criminal Courts Bar Association of Los Angeles honored Judge Kaye with its annual Morton Herbert Award for outstanding community service. Typically, the award goes to attorneys for volunteer work. Only once before has it gone to a judge since it was created in the 1950s.

“This category fit him perfectly,” said Christopher Chaney, the association’s executive director, who represented several clients in Kaye’s court during the COVID-era mental health crisis.

“We all know about his empathetic approach and the work he does going into prisons and helping individuals with their life after prison,” Chaney said. “Our recidivism rates – the numbers are so upside down. We gotta figure out soft landings for these guys when they get out.”

The night of the award ceremony, Carrillo and other formerly incarcerated individuals joined the black-tie gala to celebrate their friend and ally. In a tuxedo, standing beside his wife at a VIP table, Judge Kaye hugged many of them and made sure they were included in photos.

“You know, mental court anywhere — but especially here in Los Angeles — is not easy,” Carrillo said. “Because he came pre-equipped with the compassion that I think all judges should have, it’s just perfect. It’s a win-win for the county and for everyone in the courtroom.”

Joe Garcia is a California local news fellow.

MORE ON MENTAL HEALTH IN CALIFORNIA



California is spending billions on mental health housing. Will it reach those most in need?

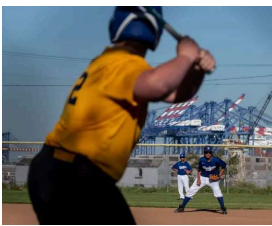
MARCH 6, 2025



People are getting arrested under California’s new tough-on-crime law. Some counties aren’t ready

FEBRUARY 11, 2025

THE LATEST



These communities are unaware they’ve lived near toxic gas for decades. Why has no action been taken?



Abundance meets resistance: Are Democrats finally ready to go all in on building housing?



Lawmaker seeks new way to outlaw threats against California schools and places of worship



How Trump tariffs could upend California farms, wine businesses and ports



UC has been enrolling more in-state students. Proposed state cuts may halt that growth

Criminal Justice in Bhutan

RONALD KAYE '89

There I was, having lunch at the home of Sonam Tobgye, the Chief Justice of the High Court of the Kingdom of Bhutan, discussing Bhutanese law and how Buddhist thought affects the court's perspective on the issue of criminal justice. After teaching a seminar about the criminal justice system of the United States to over half of the judges of Bhutan (called *Dashos* in the Bhutanese language of Dzongka), I now had an opportunity to question Bhutan's most esteemed jurist about what the Bhutanese consider to be the fundamental issues with respect to criminal behavior and punishment.

Interspersing his comments with quotes from President Abraham Lincoln, Justice Oliver Wendell Holmes, and the Buddha, the Chief Justice explained that the Bhutanese hold certain fundamental beliefs when addressing criminal defendants. These beliefs stem directly from the teachings of the Buddha and have been codified in a legal system since the country was unified in 1652. Some examples:

Sentencing in Bhutanese court is not considered punishment. Based on the principle of karma, when a defendant acts in an antisocial way, the defendant must pay for his misdeed in order to liberate himself. Thus, the Bhutanese believe it is good fortune that the defendant has been apprehended and has had an opportunity to work for a "clean slate" by paying for his wrongful conduct.

Expungement of past criminal convictions is crucial to a system of justice—a person should be sentenced based on the wrong he has committed, not on his past criminal history. A philosophy that, rather than condemning the person for his past misdeeds (the ghosts of the past should not haunt the



Ronald Kaye '89 and his wife Pamela J. Lew '94 proudly announce to their fellow alums that the adventure continues with the birth of Liana, born Feb. 6, 2000.

defendant), serves to motivate a defendant to work toward more productive, law abiding behavior.

Although it is not a formal doctrine, the Chief Justice shared his personal belief that people should not be given sentences longer than five years, because longer sentences hardened and institutionalized defendants, leaving them little hope of re-establishing their relationships and fully returning to their communities.

For me, a Deputy Federal Public Defender working in Los Angeles, such sincere commitment to the concept of rehabilitation, and belief in the power of the human spirit to change for the better, coming directly from the most powerful judicial official in the country, was more than refreshing—it was inspirational. Like Dorothy in *The Wizard of Oz*, I was sure I was not in Kansas, nor the Federal District Court in Los Angeles. No, I was in Bhutan, the only surviving Buddhist Kingdom in the Himalayas.

The High Court had invited me to visit Bhutan to teach about trial advocacy and American criminal procedure from a practitioner's perspective. I was able to secure this invitation after being introduced to the Chief Justice, albeit via E-mail 20,000 miles away, by a friend at Stanford who is a professor of Buddhism. My friend sensed that a seminar on American law would intrigue the Bhutanese at this stage in the development of their legal system. Luckily for me, his intuition was correct.

In view of my role as a Deputy Federal Public Defender, my presentation naturally focused on the rights of the accused. I was the first lawyer ever to lecture in Bhutan, although several professors from the United States and Europe had visited in

the past. My seminar focused on the tension inherent in the U.S. criminal justice system between the rights of the criminal defendant facing the loss of his liberty—perhaps the most revered principle in our society—and the need to maintain order and security in our communities.

In my practice I regularly try to persuade judges and juries to not lose sight of the fundamental rights of my clients, regardless of whether the facts of the case reveal that they committed the offense. Consequently, I had personal experience with the way judges, and sometimes juries, struggled with this tension in criminal cases and these competing goals. Now I was asked to share my experiences with the judges of a country that had little experience with crime, and where personal freedom was not as important as the welfare of the community and the spiritual development of the people. Yet in the year 2000, through access to the Internet and to visitors from abroad, the Bhutanese were becoming intrigued by cultures and ideas which were for so long completely alien to life in their country.

Before I embarked on this journey, I had researched Bhutan and its history and the reasons it was the only surviving Buddhist Kingdom in the Himalayas. I learned that the country had never been colonized, even though China and India, its huge neighbors to the north and the south, had been subject to colonial rule throughout their histories. Centuries of independence and isolation fostered a fierce pride in the Bhutanese culture and their unique identity in the world. Therefore, although not technologically advanced or economically well-developed, the Bhutanese do not envy the outside world; they realize the beauty of both their culture and country. In Bhutan, there are no beggars and there are no people starving. Unlike other people in the developing world, the Bhutanese may be interested in visiting other cultures, but they seem to have little desire to emigrate abroad.

By reading the national newspaper, the *Kuensel*, over the Internet, I was able to get an advance look at modern



From High Court: Silk Knot Symbolizing Justice

Bhutanese culture. I was particularly interested in the types of crimes occurring in the society. Although crime as we know it virtually did not exist in Bhutan for centuries, crimes such as money laundering and burglary have begun to occur, but on a very small scale. I knew I would be immersing myself in a dramatically different social environment when the front page of the newspaper had a lead story about the use of

airplane glue by a few teenagers in the country's capital, Thimphu. (Interestingly, the Bhutanese universally believe that antisocial criminal behavior had arrived in their country due to the influence of other cultures, primarily the action-packed "blood and guts" plots portrayed in Hindi movies imported from Bombay.)

Once the seminar started, I dove into the topics which make up the bread and butter of being a criminal defense attorney in the United States: suppression of evidence, the right to counsel, the right to an impartial jury of your peers. The seminar consisted primarily of discussing the constitutional bases of these rights, applying the Fourth, Fifth, and Sixth Amendments to the landmark Supreme Court cases of *Miranda v. Arizona*, *Gideon v. Wainwright*, *Batson v. Kentucky*, etc., and demonstrating how these principles work in the "real world" through war stories from my own practice. To bring the class closer to "real life," I brought a transcript from a trial I had done in the Central District of California, a case where my client was charged with assaulting a federal prison guard. With transcript in hand, I was able to share with the judges my jury selection decisions, cross examination techniques, and closing argument analogies. To create a feeling of excitement and anticipation for my "students," I left the verdict as a surprise until the end of the seminar.

My twenty-five students were Bhutan's brightest—judges who presided over districts administering to the country's 750,000 people. The country only recently started to formalize its legal system and recruit students into the legal profes-

sion. High school students who showed the most promise were recruited by the Chief Justice himself to join the legal profession. Since the country literally didn't open up to the outside world until the early 1960s, almost every judge's parents were peasant farmers, generally uneducated. The judges themselves were often the first in their families to receive formal education.

Surprisingly, every judge who attended the seminar was fluent in English, generally with a strong Indian accent. After Tibet was annexed by the Chinese in the 1950s, the previous King of Bhutan realized that isolation from the rest of the world was no longer a viable option, and made English the language of instruction to children throughout their elementary and secondary school educations. Consequently, children not only had mandatory English classes, but they also learned history, math, and science in the English language. And virtually all the judges studied law in India—in either Bombay, New Delhi, or Calcutta—where the legal education is based on the British case law system and the language of jurisprudence is English.

The judges' familiarity with the American system stemmed from both their readings of landmark Supreme Court cases and the sensational cases which affected the consciousness not only of the public in the United States, but of people throughout the world. During the seminar I was peppered with questions about the O.J. Simpson, Rodney King, and Amadou Diallo trials. On repeated occasions I was asked to put myself into the shoes of Johnnie Cochran and ponder why he made particular decisions at trial, and what impact these decisions had on the jury.

For me, the most eye-opening aspect of the seminar was the judges themselves: impressive and truly inspiring. Throughout the seminar they demonstrated an unwavering commitment to the rights of the accused, fully embracing the principles of fairness in the judicial process as being as much of a priority as protecting the members of the community from criminals. When discussing prosecutorial misconduct in



Ron and Pamila taking tea with Norbu Tsering, a judicial assistant to the Chief Justice of Bhutan, and Ngawang, the Chief Justice's driver, overlooking the Dzong (castle) at Trongsa, Bhutan.

a case which I had pending before the Ninth Circuit Court of Appeals, several judges were appalled by the tactics of that particular Assistant United States Attorney. I will never forget one of the judges saying, "Seems like the only thing that prosecutor wanted was to win, and to win he stepped on the rights of your client—that seems contrary to your whole system of justice." I laughed out loud and responded

that I hoped the Ninth Circuit shared his sentiments.

During my stay in Bhutan I was consistently amazed at the forward-thinking attitude of the judiciary—their intent to fully computerize the dockets of the entire country, their emphasis on enacting legislation which protects human rights and the environment, and their stress on the importance of continuing legal education for police, prosecutors, and members of the judiciary. The judges are also equally passionate about maintaining their particularly independent cultural identity. Buddhist iconography dominates courtrooms. Each judge wears traditional dress and a *kabne*—a scarf bestowed by the King and representing the judge's rank in society. And the symbol of justice proudly displayed in the courts of Bhutan is the silk knot, which, although tightly knotted, can always be untied—an embodiment of the Buddhist tenet that all human actions can be forgiven.

When I asked a young judge what he thought about the symbol of the U.S. judicial system—the scales of justice—he told me he thought it was compelling that justice was blindfolded, seeking out the truth regardless of the person's appearance or race. He then asked me what role compassion plays in our system. I responded that compassion is not systemic in U.S. jurisprudence, but stems from the discretion of the particular judge in a particular case. He was quiet for a second and then said that Buddhism requires a commitment to compassion beyond the individual judge's particular personality.

It seems that the United States judicial system may have something very valuable to learn from the Kingdom of Bhutan.

