

6 vie for voters in race for Stanislaus County court seat

HIGHLIGHTS

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By Merrill Balassone
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Among the 20 judges on the bench, the vast majority went through a merit-based selection process, with nominations by experts and a final choice by the governor.

Two were put there by voters, a process that has been fiercely debated in the past year.

Next month, county voters will get their turn to pick two of six candidates who likely will face each other in a November runoff to replace Judge Donald Shaver, who was appointed in 1990. It likely will be a lifelong decision, because incumbent judges almost never are unseated by voters.

The candidates have met three times to debate issues including how to reduce court delays, the ethical considerations of taking money and accepting endorsements, and a judge's role in reducing crime:

Nancy Williamsen is banking on her position as a court commissioner to win votes. For 11 years, she has heard cases -- many in the realm of juvenile dependency and delinquency -- on behalf of Stanislaus County judges.

"Thousands of people in crisis have appeared before me," Williamsen said. "My judicial work is tried, trusted and exemplary."

She's the only candidate endorsed by sitting Stanislaus County Superior Court judges.

Williamsen's decisions have been appealed hundreds of times but fewer than 20 were reversed by the 5th District Court of Appeal, most because of procedural issues. But some are notable: A second-degree burglary conviction against a 15-year-old boy struck down because of insufficient evidence; a reversal of Williamsen's decision not to step down after her ability to provide a fair hearing was challenged; a sentencing error that incorrectly added up to 10 years to the possible incarceration time of a juvenile offender; and a finding that "reasonable services" weren't provided to a mother living in a homeless shelter to help her reunite with her child.

Martha Carlton-Magaña likes to stir things up. A longtime Modesto criminal defense attorney, Carlton-Magaña has called for more honesty on the bench and called out fellow candidates for taking official endorsements.

"I do not take endorsements," Carlton-Magaña said. "I feel that endorsements are implied promises that when that individual comes before you, you're going to do that individual a favor."

Carlton-Magaña says a judge must be the "best and the brightest." She earned her law degree at the University of California at Berkeley Boalt Hall School of Law, the only candidate to have graduated from a law school ranked in the top 10.

When asked about the temperament needed to be an effective judge, Carlton-Magaña admitted a weakness.

"I'm not the most patient person, so if I'm on the bench, I have to remind myself to be patient," she said.

Geoffrey Hutcheson says he's had courtroom experience ranging from murder cases to petty theft to "million-dollar" civil lawsuits.

He's taught courses to first-responders and to Modesto Junior College students in political science and business law.

"We don't know where we can be assigned," Hutcheson said. "I can sit in any department at any time."

Hutcheson is the only candidate who has been given a public reproof by the State Bar of California after an employee stole more than \$8,000 from a client trust account. The organization said Hutcheson failed to supervise the work of the employee and verify balances of the account. But Hutcheson "took immediate steps to insure that no clients lost any funds," the bar association said in a report.

When asked what trait distinguishes him, William Mussman said it is a love of learning and an ability to reinvent himself. He learned conversational Japanese and earned an engineering degree before deciding to follow in his father's footsteps by becoming a lawyer.

Although Mussman's background is as a private attorney practicing anti-trust, bankruptcy and securities litigation in the Bay Area, he has branded himself as "tough on crime" with roots in the Northern San Joaquin Valley.

"Judges don't go out on patrol," Mussman said. "But a judge definitely has a role in keeping our community safe. There has to be a punishment, a consequence for people to understand it's a crime. (It) can't be a slap on the wrist."

Shawn D. Bessey has been a prosecutor his entire 11-year law career, but it wasn't his first profession. Bessey oversaw the irrigation system on a 1,500-acre citrus farm and "caught shoplifters" as a retail loss-prevention officer. He went to night school to get his law degree and works for the Stanislaus County district attorney's office prosecuting gang-related crime.

Bessey is less talkative about his notable poker career (an online profile puts his career winnings at \$18,023).

Although he trumpets endorsements from law enforcement groups, Bessey said it won't gain them favoritism.

"I am not a politician," Bessey said. "The endorsements have shown there is a confidence in me as a candidate."

Philip A. Pimentel thinks of himself as the "blue collar" candidate, telling potential voters about his parents, who didn't finish high school, and his passion for coaching youth soccer.

"I don't even hang out with lawyers," Pimentel deadpanned. "I didn't like most law students."

Pimentel, who opened a family law practice in 1991, thinks his sense of humor will help "break up" courtroom tension.

"Too many people in our practice, they're just too stressed out," Pimentel said. "They're very rigid all the time. It's hard to talk to them about resolutions."

Nancy Williamsen

- **AGE:** 56
- **HOME:** Modesto
- **OCCUPATION:** Stanislaus County Superior Court commissioner
- **YEARS PRACTICING:** 26
- **EDUCATION:** Canada College, A.A.; Canada College, paralegal certificate; San Francisco Law School, J.D.
- **FAMILY:** Husband Richard, two children
- **WEB SITE:** www.nancywilliamsenforjudge.com

Martha Carlton-Magaña

- **AGE:** 62
- **HOME:** Modesto
- **OCCUPATION:** Attorney, Law Offices of Ramon Magaña and Martha Carlton-Magaña.
- **YEARS PRACTICING:** 34
- **EDUCATION:** Michigan State University, B.S.; University of California at Berkeley Boalt Hall School of Law, J.D.
- **FAMILY:** Husband Ramon, three children

Geoffrey Hutcheson

- **AGE:** 62
- **HOME:** Modesto
- **OCCUPATION:** Attorney, Geoffrey C. Hutcheson Law Office
- **YEARS PRACTICING:** 33
- **EDUCATION:** University of Oklahoma, B.A.; University of Akron, M.A., University of the Pacific McGeorge School of Law, J.D.
- **FAMILY:** Wife Catherine, four children

William Mussman

- **AGE:** 59
- **HOME:** Modesto

- **OCCUPATION:** Managing partner, Mussman & Mussman, LLP
- **YEARS PRACTICING:** 33
- **EDUCATION:** Stanford University, B.S.; UC Hastings College of the Law, J.D.
- **FAMILY:** Wife Carol Lynne, three children
- **WEB SITE:** www.mussmanforjudge.com

Shawn D. Bessey

- **AGE:** 46
- **HOME:** Hughson
- **OCCUPATION:** Stanislaus County deputy district attorney
- **YEARS PRACTICING:** 11
- **EDUCATION:** College of the Sequoias; California State University, Fresno, B.S.; Humphreys School of Law, J.D.
- **FAMILY:** Single
- **WEB SITE:** www.besseyforjudge.com

Philip A. Pimental

- **AGE:** 54
- **HOME:** Hughson
- **OCCUPATION:** Attorney, Philip Pimentel Law Office
- **YEARS PRACTICING:** 26
- **EDUCATION:** Modesto Junior College, A.A.; California State University, Stanislaus, B.A.; Santa Clara Law School, J.D.
- **FAMILY:** Wife Laura, three children

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