

Daily Journal Judicial Profiles

www.dailyjournal.com

© 2009 The Daily Journal Corporation. All rights reserved.

HON. Michael K. Kellogg

Judge

Superior Court of California County of Los Angeles

JUDICIAL PROFILE

Career Highlights: Elevated by court unification to Los Angeles Superior Court, 2000; appointed by Gov. Pete Wilson to Los Angeles Municipal Court, 1996; sole practitioner, Torrance, 1984-96; attorney, city prosecutor's office, Torrance, 1983-84; partner, Donahue, Kellogg & Donahue, Torrance, 1981-83; sole practitioner, Torrance, 1979-81

By Sarah Garvey

Daily Journal Staff Writer

LOS ANGELES — Michael K. Kellogg's colorful past includes manning pumps on remote desert oil rigs, teaching constitutional law to advanced-placement high-school students and dodging defensive linemen as an Oakland Raiders running back.

But these days, when he's not presiding over felony cases in Department 126 of the downtown criminal justice center, Kellogg concentrates on his animals.

"I'm up every morning at 4:30," the Superior Court judge said. "I'm feeding the goats and the chickens and the horses."

Kellogg "got the bug for all animals" when he was a boy, he said, after a children's photographer showed up in his Long Beach neighborhood with a pony, a cowboy hat and a pair of chaps.

Still an equestrian at 64, Kellogg has three horses: a quarter horse, a Morgan and an appaloosa.

"I'd rather be in the middle of nowhere, just me and my horse," he said, "where you can just take off and ride for hours and see no one."

"He's just a big old cowboy," Deputy District Attorney Renee B. Meckler said. "He's very nice, a super-nice guy."

Meckler added that Kellogg thoroughly discusses the issues and "always gives you the opportunity to make a record."

"He really does discuss everything before making his decision," she said.

"I think he's one of the fairest judges I've ever been in front of," Deputy Public Defender Meredith L. Rudhman said.

"[He's] not afraid to rule against the prosecution when the law is in [the defendant's] favor," Rudhman said.

"You know how a team takes on the character of its captain? That's how his courtroom works. ... It's a real friendly place," said Deputy Public Defender Steven F. Fisher, who has been a defense attorney for 30 years.

“It’s like the world doesn’t revolve around his courtroom,” Fisher said, referring to Kellogg’s amenability to continuance granting and working with attorney’s schedules.

“He’s more concerned with justice than statistics.”

Deputy Alternate Public Defender Richard L. Sternfeld described Kellogg as someone with a “sense of fairness and compassion” who “always tries to do the right thing.”

And the judge has a knack for facilitating settlement, according to Deputy District Attorney Gregory A. Dohi, who used to prosecute hard-core gang cases and now handles high-tech crimes.

Kellogg accomplishes this “not by being some kind of a hammer,” Dohi said, but “just by being respectful and friendly.”

“He zeros in on the key issues of every case very quickly,” said welfare fraud prosecutor Tamia L. Hope.

And because he’s a “people person,” Hope added, Kellogg revels in the “drama of the courtroom.”

“I think very highly of him,” said Hoon Chun, a major crimes prosecutor. “He’s a great judge.”

Chun most recently appeared before Kellogg in the context of a plea agreement in *People v. Riley*, BA279739 (L.A. Super. Ct., filed Jan. 3, 2006).

Darnell Riley pleaded guilty to robbery, attempted extortion and use of a gun for breaking into the home of Joe Francis and forcing the *Girls Gone Wild* video series creator to make a demeaning videotape. Riley was sentenced to 10 years and eight months in prison.

Kellogg was born in Tucson, Ariz. His father was in the Army Air Corps, and his mother, a University of California, Berkeley, graduate, raised Kellogg and his three siblings.

The family settled in Long Beach when Kellogg was 5.

Kellogg’s brother, Joseph Keith, is a retired three-star Army general. Kellogg’s other brother, Jeff Keith, is a former Long Beach city councilman.

The judge’s sister, Kathy Kellogg, is a former actress who now works as a clinical psychologist.

After graduating from Long Beach Polytechnic High School, Kellogg attended Santa Clara University, where he majored in philosophy and history and played on the football team.

He spent his summer vacations working in far-flung parts of California for a drilling company started by his grandfather, who immigrated to the United States from New Zealand.

Kellogg ran pumps and operated heavy equipment.

“I really liked it,” Kellogg said. “It kept me in shape.”

Kellogg stayed in shape after college by playing professional football.

He began his career with the Oakland Raiders and later joined the Denver Broncos. During his six years in the NFL, Kellogg played both running back and linebacker.

Upon retiring from football in 1971, Kellogg moved back to the South Bay and took a job with the Torrance Unified School District.

“They wanted me to coach,” he said, “but I wanted to teach.”

So Kellogg coached, but he also developed a curriculum for teaching constitutional and criminal law to advanced-placement students.

Later, he added a mock-trial component.

In 1975, Kellogg became a student himself. He entered the now-defunct California College of Law in West Los Angeles.

After he graduated, he opened a solo civil litigation practice in Torrance. Two years later, he became a partner at Donahue, Kellogg & Donahue.

But phone calling, memo writing and deposition taking got to Kellogg after a few years, he said.

“I didn’t want to keep doing civil litigation,” he said, “for the reason [that] you never get to trial.”

He spent the next two years as an attorney with the Torrance city prosecutor’s office, handling numerous driving-under-the-influence cases, and then returned to private practice as a criminal defense lawyer.

In 1996, Gov. Pete Wilson appointed Kellogg to the Los Angeles Municipal Court. He was elevated to the Superior Court upon court unification in 2000.

Except for two days at the Metropolitan Courthouse, Kellogg has spent his 10 years as a judge at the Clara Shortridge Foltz Criminal Justice Center, handling everything from arraignments and preliminary hearings to major felony trials.

Kellogg considers being a judge the most important job he’s had, he said, because of the consequences his decisions have on so many lives.

The parties in the litigation, he said, are “looking to you to make the right decision, an informed decision ... absent the play of emotion.”

“You realize that you are now in a position to do the right thing,” he said, “and it’s very difficult.”

Off the bench, Kellogg enjoys watching college basketball and baseball.

He plays the guitar and has read just about every book written on President Harry S. Truman, he said. He also is a student of colonial history.

“[Truman was] a president that had to make such a difficult calculation whether or not to use a very destructive device to end the most terrible war the world has ever known,” Kellogg said.

Kellogg lives on a hobby ranch with his wife, Lisa W. Grace, who has a First Amendment law practice and is general counsel to Metropolitan News Co.

“We spend most of our time ... cleaning the animals, working with the animals or talking to the animals,” Kellogg said.

“Our hobby ranch is probably 24/7, and that is our enjoyment.”

In addition to goats, chickens and horses, the couple has two dogs. One is a Rottweiler mix that Kellogg found “stranded in a field in a downpour, and the other is a Labrador retriever that “just showed up” on the porch a few weeks ago.

The appaloosa also was a rescue.

“His hooves were all cracked,” Kellogg said of the former stable horse. “It took me almost nine months to get him healthy.”

“I love what I do, [and] I loved what I did,” Kellogg said, reflecting upon the different paths he’s taken in his life.

“At some point in time I hope to be a goat farmer,” he said.

“But they must be Nubians,” he added, referring to the breed of long, lapping-eared goats.

“They’re absolutely mystical. Like unicorns.”

Here are some of Judge Kellogg's recent cases and the lawyers involved:

People v. Tyars, BA285939 — vehicular manslaughter while intoxicated

For the prosecution: David S. Barkhurst, district attorney's office

For the defendant: Debra E. Werbel, public defender's office

People v. Dyer, BA258690 — transport of controlled substance

For the prosecution: Farrel F. Lebenzon, district attorney's office

For the defendant: Kevin D. Donahue, Torrance

People v. Travonn, BA274786 — pandering

For the prosecution: Farrel F. Lebenzon, district attorney's office

For the defendant: Carmen C. Guevara, public defender's office

People v. White, BA253770 — perjury

For the prosecution: Farrel F. Lebenzon, district attorney's office

For the defendant: Meredith L. Rudhman, public defender's office

People v. Johnson, BA289794 — burglary

For the prosecution: Lindley R. Heher, district attorney's office

For the defendant: Victor M. Acevedo, public defender's office

This profile appeared in the Los Angeles Daily Journal and the San Francisco Daily Journal on February 22, 2006.