



Hon. Clay M. Smith, Ret.



Results Beyond DisputeSM

Judge Smith retired from the Orange County Superior Court after twenty years of distinguished service. He presided over a broad range of civil cases including family law where he served for the last 9 years and spent 3 years as a Supervising Judge of the department, Presiding Judge of the court's appellate division, and a special master for the Commission on Judicial Performance. Judge Smith, known for his scholarly approach to judicial decision-making, is the author of more than a dozen published legal articles and has been honored by several bar associations. Judge Smith has presided over a broad range of civil cases, including personal injury, professional negligence, employment discrimination, real property, and business disputes. Prior to his appointment to the bench, Judge Smith was successful in the practice of real estate, environmental, and business transactional law. He is a frequent lecturer and panelist in the areas of family law, civil procedure, and legal ethics. He brings his commitment to excellence and service to his role as a mediator, arbitrator, and private judge. He commented, "I am painfully aware of the high cost, both financial and emotional, of protracted litigation. I am energized by the opportunity to help litigants reach an earlier and less costly resolution."

LEGAL CAREER & PRIOR EXPERIENCE

- Neutral, Judicate West (2018-Present)
- Judge, Superior Court of Orange County (1998-2017)
- Judge, Municipal Court of Orange County (1997-1998)
- Arbitrator, Orange County Superior Court (1983-1997)
- Probation Monitor, State Bar of California (1983-1997)
- Assistant General Counsel, Catellus Development Corporation (1988-1997)
- Attorney, Santa Fe Pacific Corporation (1982-1988)
- Attorney, Rhodes, Kendall and Harrington (1980-1982)
- Attorney, O'Melveny & Meyers (1978-1982)

EDUCATION & PROFESSIONAL AFFILIATIONS

- J.D., University of Utah, Salt Lake City (1977)
- B. A., Brigham Young University, Provo. UT (1974)
- Western State University School of Law, Adjunct Professor (Secured Land Transactions, Remedies, Commercial Leasing)
- Fullerton College, Instructor (Introduction to Legal Studies, Criminal Law & Procedure)
- Mediation: The Art of Facilitating Settlement, Straus Institute for Dispute Resolution (2006)

PRACTICE AREAS

Appellate; Business/Contractual; Employment; Environmental; Family Law; Personal Injury; Professional Malpractice; Real Property

ACHIEVEMENTS & AWARDS

- Member, Civil Law Education Committee (2003-2008)
- Member, Judicial Service Advisory Committee (2001-2007)
- Planning Commissioner, City of Brea (1997)
- "Stepping Up to Family Law," Orange County Lawyer, 2008
- "Watchmen on the Wall – Unsung Heroes of the Rule of Law," Orange County Lawyer, 2008
- "Intersections Along the High Road," Association of Business Trial Lawyers Report, Fall 2004
- "A Lonely Decision," Orange County Lawyer, December 1999
- "Chronical of a New Judge," Orange County Lawyer, June 1997
- Chair, Open Space Task Force, City of Brea (1993)
- "Epting v. Utah, Misapplication of Governmental Immunity." 1976 Utah Law Review, 187

**HOBBIES &
INTERESTS**

In his spare time, Judge Smith is a baseball fan, Harley-Davidson enthusiast, and a traveler.

LOCATIONS

Orange County, All of California