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## THIS INFLUENTIAL EAST BAY FAMILY BOASTS JUDGES AND LAWYERS IN ALAMEDA AND CONTRA COSTA

By Sonia Giordani

RECORDER STAFF WRITER

LAFAYETTE -- It's one thing to have a pair of prosecutors for parents. Now Jake O'Malley, 5, and his 3-year-old brother, John, are entering their pleas for toys and negotiating lighter bedtime sentences with two Contra Costa County Superior Court judges.

Their father, Dan O'Malley, is trading in his job as the county's supervising deputy district attorney after winning an open judicial seat in last month's election.

And their mother, former Deputy DA Mary Ann O'Malley, is settling into her third year on the bench.

As if a double-gaveled dinner table weren't enough, consider that the O'Malley family also includes Grandpa Bill -- the former Contra Costa district attorney and a retired judge; Aunt Nancy -- the current chief assistant district attorney in Alameda County; and Uncle Jake, who as chief administrator for Contra Costa's risk management association hires hundreds of attorneys to represent 17 cities in cases ranging from inverse condemnation to police brutality allegations.

"I guess there won't be any keggers at the O'Malley house," Mary Ann O'Malley joked during an interview at her Lafayette home.

Since Bill O'Malley first walked onto the Contra Costa political scene more than 30 years ago, his family has become an East Bay legal dynasty. Fam-



ily and friends say there was never pressure on the nine O'Malley kids to follow their father into the law. But raised on a diet of local politics and community service work, it came as little surprise when some of them did -- and they're bringing all their father's charisma and political connections with them.

"Bill was the consummate politician. In his time he could have been elected anything in Contra Costa," says William Gagen Jr., a partner with the Danville criminal defense firm Gagen, McCoy, McMahon & Armstrong and a colleague of Bill O'Malley's. Nearly three decades later, O'Malley's son is strutting into the political spot-

light with similar ease.

"They're the Kennedys of Contra Costa -- but without the Kennedy money," joked Gagen, who offered the comparison at a fund-raiser for Dan's recent and successful bid for a judgeship.

But what the O'Malleys might lack in cash, they have certainly made up for with a far-reaching network of political connections. Dan managed to raise nearly \$100,000, with hundreds of small donations pouring into his campaign. And pushing his own credentials aside, he's quick to credit his family for much of his success.

It's not just the influential rallying cries of his sister and father who helped bring in the support,

he says. He notes that his teenage nephews and nieces were out toting campaign signs and leafletting in front of the grocery stores.

"As a family we define networking. Frankly, that's why I won this thing," says Dan, whose full name is William Daniel O'Malley but who goes by Dan-O. "When one of us in the family gets involved in a project, we all get behind it."

Political networking is part of the O'Malley family tradition, where children get an early start in politics. As kids, Dan and his brothers and sisters spent weekends and after-school hours either helping their dad campaign or volunteering for one community service program or another.

"We grew up in this environment. We took turns attending events," says Jake O'Malley, the chief administrative officer for the Contra Costa Municipal Risk Management Authority and the oldest son in the family. "And we were very cognizant of our responsibility to the family name -- and to keep it out of the newspapers."

### A FORAY INTO POLITICS

A Boston-born Irish-American, Bill O'Malley first set his eyes on California when he was discharged from the U.S. Navy in 1946. He returned briefly to the East Coast to attend Fordham University and made a run at law school at Boston College. But with a young family to support,



he headed west and took a job as an insurance adjuster in San Francisco, settling in Contra Costa.

O'Malley dabbled in politics, volunteering with municipal officeholders and campaigning on behalf of his assemblyman. By the time he graduated from law school, he was 38 years old with a wife and seven kids to support.

He helped expand the Mount Diablo Bar Association, which was considered something of a renegade group of young upstart attorneys that contrasted with the stodgier Contra Costa County Bar Association. The two groups, along with the West Contra Costa/Richmond Bar, merged in 1978.

"I always tried to keep politically active," says Bill O'Malley. "I think it's part of being Irish."

While Bill and his wife, Claire, may not have pushed their kids to pursue law or politics, they did stress the importance of community involvement and volunteer work. The O'Malley children followed in their parents' footsteps from an early age, getting involved in the local parish in Concord, schools, sports programs, and part-time jobs after school and during the summer break.

Claire earned a reputation as a social services activist who could help find shelter, food, or clothing for anyone in need -- even if it meant opening her own front door. She died in 1991.

"My mother was a real fighter and I think she gave a little bit of that spirit to all of us -- that protectiveness of people in need of help," says Nancy O'Malley, who earned the nickname "Nambo" for her reputation as a fighter in her own right in the Alameda County DA's office.

Nancy, now considered a statewide leader in advocating against violence toward women, is already helping to pass along the torch to the next generation. Earlier this year, she brought Jake

and John O'Malley -- her 5- and 3-year-old nephews -- to a candlelight vigil and three-mile march against violence.

That social activism "is part of the O'Malley legacy founded as much by Claire as by Bill," says Daniel Van Voorhis, a retired attorney and friend of the O'Malley family. And he says that affection for the community is reciprocated.

Van Voorhis notes that the community grieved with the O'Malleys when in 1968 Claire and Bill's oldest child -- 18-year-old Maura -- was killed by a drunken driver in a car accident on her way home from her father's private law office.

"It was a tragedy that hurt us all," said Van Voorhis. "From then on, in a way I think the O'Malleys turned both to their religion and to the law."

More than 30 years after the accident, the family still broaches the topic gingerly but speaks openly about the loss of the oldest child in their family and a sibling many of the younger kids looked up to. Maura was to have left for college the week of the accident. She was driving when she was killed; her father and brother Dan were both in the car.

"My mom took it very hard, and we all felt that pain," said Jake O'Malley, noting that his youngest sister, Mary, was born the following year.

#### THE O'MALLEY BENCH

Bill's political career began in 1969, when the Board of Supervisors appointed him to fill the seat of Contra Costa district attorney. He was elected to a full term the following year and was re-elected without opposition in 1974, 1978 and 1982. In 1984, he was elected to an open seat on the Contra Costa Superior Court bench.

Lighthearted by nature, he jokes that he had to practice his scowl for years before getting it right. And he'll candid-

ly tell you he traded in work on the bench for a full-time golf schedule when he retired in 1995.

Ironically, the first O'Malley to follow Bill from the DA's office to the bench wasn't even one of his kids. It was his daughter-in-law, Mary Ann Wetle, who took the O'Malley name after marrying Dan in 1991.

"He swore me in when I was appointed to the bench," says Mary Ann. "He protested at first, saying there are so many more important people who could have sworn me in. But who more important than the grandfather of my family?"

In fact, the Wetle family has its fair share of legal types as well. Mary Ann's brother Jerry was elected DA of Stevens County, Wash., more than a dozen years ago. But Mary Ann settled in Contra Costa after attending Mills College and Golden Gate University School of Law.

Mary Ann had been hired at the Contra Costa DA's office only months after her future father-in-law had left. She shared an office with Dan and the pair became friends. Then they started to date, and in 1991 she officially became part of the O'Malley crew when they married.

How many times has she been asked if she's one of Bill O'Malley's daughters? Too many to count. Same goes for the number of times she's answered telephone calls for "Judge O'Malley'D" and heard a confused voice on the other end.

And with her husband slated to join the CoCo bench, there's sure to be additional head scratching.

"OK, so attorneys might have an excuse to go to the wrong courtroom the first time," she says. "But then after that it won't work."

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