

Center for Judicial Accountability, Inc. (CJA)

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To: elena@judgewatch.org

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The San Bernardino County Sentinel

Judges Involved in Multiple Property Reconveyances
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by Janet Phelan

Several years ago, all of the county's probate and conservatorship cases were moved to Redlands Courthouse and most of these cases were subsequently heard by Judge Welch.

Recent documents obtained by the Sentinel point to suspicious financial activity by Welch, who at one point in time was the presiding judge of San Bernardino County. Welch was featured in an article in the Sentinel on June 12th of this year in a lengthy expose regarding questionable business practices by Melodie Z. Scott, a professional fiduciary and conservator for the elderly. Scott is President of C.A.R.E., Inc., located at 25 E. State Street in Redlands, right around the corner from the courthouse.

The activities by Scott cited by the Sentinel as questionable involved giving conservatee property to her own family members, overcharges on her clients' accounts, missing monies from clients' accounts, selling conservatee property at bargain basement rates only to have the property jump in value and sell the next year, withholding medical care from conservatees resulting in death and allegations of possible undue influence on judges.

The documents uncovered relating to Judge Welch reveal that he has mortgaged his primary residence, located in the 300 block of La Colina in Redlands several times in recent years, encumbering it with loans which could not possibly be paid back on a judge's salary in the brief turn-around time indicated by the reconveyances (repayment of loans). The document numbers and the size of the loans follow:

In 1998, Welch and his wife, Ginny, took out a loan for \$217,200 on their La Colina residence, which was fully paid back in March of 2003. The reconveyance document number attached to this transaction is 2003-0173087.

In February of 2003, James and Ginny Welch took out another loan on their residence, this time for \$234,000. This was fully paid back by June 10, 2004, as listed in document number 2004-0410928.

Another loan was taken out by the Welches on May 17, 2004, as listed in document #2004-0353533. This loan was for \$358,965.71.

Messages were left with Welch's secretary, inquiring as to where the money was going and how he was paying these loans back. The possibility that Welch was taking out loans and investing the money, then paying back the loans with the proceeds was considered and discarded. For the last seven years, Welch has reported to the Fair Political Practices Commission on his form 700

4/12/2010

financial disclosure statements that he has no investments.

A query was also left with Judge Welch's secretary as to three property transactions recorded in neighboring Riverside County, attributed to a James Michael Welch, Trustee.

Judge Welch has declined to comment. Presiding judge Jim McGuire issued a terse letter on August 12th, 2009, in response to an inquiry from the Sentinel about the Welch loans and Riverside County transactions. McGuire stated: Please be advised that I have received and reviewed your letter of August 11, 2009. Please be further advised that I am an administrative presiding judge and, therefore, my review jurisdiction is limited. Nothing contained in your letter is of a nature over which I would have review jurisdiction. Any request for review or investigation by me is, therefore, denied.

There has been no confirmation or denial from the court as to whether Welch's exodus from his probate assignment in Redlands had any bearing on the recent media scrutiny given his actions as a judge or his apparent bias towards cases involving Melodie Scott, who recently launched a legal protest concerning the denial of her fiduciary license by the California Professional Fiduciary Bureau.

This practice of judges taking out large loans appears to be widespread and crosses county boundaries. Information gathered on Commissioner John McCoy and Judge Sharon Waters (both of Riverside County) has recently been turned over to a Riverside County district attorney investigator, Jeff Chebahtah. While Chebahtah has acknowledged receipt of the information on the Waters and McCoy loans, he has at press time refused to assign a complaint/case file number. The practice of accepting evidence and refusing to assign a tracking number has been previously explored by this reporter in an article entitled: "How the California Justice System covers up crimes against the elderly: A method to the madness" and appears to be deployed when either the matter is too trivial for the district attorney to take seriously or when there is a political agenda to keep the report out of the system and thus not to investigate at all.

Parenthetically, both McCoy and Waters were recently and consecutively removed from an active case in Riverside Superior Court, following a protest lodged that the loans smacked of pay-offs or bribes.

In San Bernardino County, Judge Steve Mapes ascended to the bench in 2007 and currently sits on Barstow court, following his tenure as an deputy district attorney in San Bernardino. Mapes has also been involved in the loan program, apparently going back to 1998, when he took out a loan on his home on Patricia Drive for over \$155,000. He subsequently took out further loans on his property, including loans for \$100,000 in 2001 and 2002, another loan for \$307,500, also in 2001, one for \$88,500 in 2002 and a loan in 2004 which was in excess of the value of the house, recorded at the tax assessor's office as \$427,528. This loan was taken out for a resounding \$493,000.

More recently, in 2006, he again borrowed money against his property. Since 2001, Judge Steven Mapes has received seven different reconveyances on his loans.

Judge Mapes did not return calls from the Sentinel inquiring as to who was paying back these loans.



Janet Phelan is an investigative journalist with over twenty years in the saddle.

Her articles have appeared in the Los Angeles Times, the Santa Monica Daily Press, the San Bernardino County Sentinel, the American's Bulletin, Oui Magazine and elsewhere. She is best known for her article "Water As A Weapon" and her investigations on the war against the elderly and vulnerable through the conservatorship and guardianship programs in State Superior Courts. Janet was educated at Grinnell College and U.C. Berkeley, and studied journalism at University of Missouri -Columbia Graduate School of Journalism. Her first book, "The Hitler Poems," was published in 2005.