

**HASTINGS, James H.**

RETIRED ASSOCIATE JUSTICE. COURT OF APPEAL, Second Appellate District, Division Five.

**Appointment:** Appointed [succeeding Associate Justice John F. Aiso, retired] by Governor Reagan May 3, 1973, confirmed by Commission on Judicial Appointments May 12, 1973, oath May 15, 1973, confirmed by electorate Nov 2, 1982, and retired from bench Nov 15, 1987.

**Previous Employment:** Senior Judge, 1987-89. Judge, Superior Court, Los Angeles County, May 22, 1972 (date of oath) to May 15, 1973, appointed by Governor Reagan. Private Law Practice: Los Angeles, Los Angeles County, 1948-72 (partner, Hastings, Blanchard & Hastings). Admitted to Calif. Bar June 16, 1948, LL.B. (1948). Univ. of Southern Calif. Law School [now Law Center], Los Angeles [Associate Editor, *USC L Rev*]. B.A. (1940). Univ. of Southern Calif., Los Angeles. Served to Lieutenant, U.S. Naval Reserve, World War II, 1942-45. Present status, Captain (Retired), U.S. Naval Reserve.

**Born:** Nov 17, 1917 in Los Angeles, Calif. [son of Los Angeles attorney, J.N. Hastings]. Married Margaret Alman. Three sons, including James Gary (Los Angeles County Superior Court judge)

**Participant:** CEB program, "Appellate Review Before Judgment," 1982 (moderator). Lecturer: Southwestern Univ. Law School, 1948-60 ("*Real Property*"), and Univ. of Southern Calif., 1949-51 ("*Business Law*"), both in Los Angeles.

**Member:** Calif. Judges Assn, 1972-; Skull and Dagger, 1973-; Phi Delta Phi law fraternity, 1946-; and Chancery Club, 1968-. Former member: American Bar Assn, 1955-90; and Los Angeles County Bar Assn, 1948-90.

**Significant decisions include:** *Nathanson v. The Hertz Corp.* 11986} 184 C.A.3d 97, 228 C.R. 847 (ruling that a car rental company may be subject to the same liability as insurance companies for bad faith in settlement negotiations with persons injured in accidents with its customers); *Forrard v. Foodmaker, Inc.* (1986) 183 C.A.3d 196. 227 C.R. 74 (reversing \$2.9 million judgment against restaurant in favor of an arriving customer shot in the head while chasing a teenage robber from the restaurant in response to a waitress's call to "Stop him!"); *People u. Superior Court* (1986) 181 C.A.3d 785. 227 C.R. 13 (ruling that a corporation can be compelled to show company records to prosecutors in a criminal proceeding despite the Fifth Amendment's privilege against self-incrimination); and *Bartling v. Superior Court* (1984). 163 C.A.3d 186, 209 C.R. 220 (ruling that a competent, adult patient with a serious illness that is probably incurable but has not been diagnosed as terminal has the right, over the objections of his physicians and hospital, to have life-support equipment discontinued, despite the fact that withdrawal of such devices will hasten his death).