

'Do Not Lie To Me': Calif. Judge Panel Agrees Credibility Is Key

By **Bonnie Eslinger**

Law360 (February 25, 2026, 7:09 PM EST) -- California federal judges speaking at a Federal Bar Association panel in San Francisco have urged attorneys to protect their credibility in the courtroom, with one judge bluntly telling lawyers "do not lie to me" and another revealing it's "shocking" how frequently judges share notes about lawyers.



U.S. Senior District Judge Susan Illston, U.S. District Judge Rita Lin and Magistrate Judge Joseph Spero discuss "Views from the Bench: Hear What Judges Are Really Thinking" at a Federal Bar Association Northern District of California event Wednesday. (Bonnie Eslinger | Law360)

The Tuesday evening event, billed as "Views from the Bench: Hear What Judges Are Really Thinking," featured Senior U.S. District Judge Susan Illston, U.S. District Judge Rita Lin and U.S. Magistrate Judge Joseph Spero. Matthew Yelovich of Cleary Gottlieb Steen & Hamilton LLP moderated.

The panel started off by discussing the qualities of a good lawyer, underscoring the importance of listening to a judge's question, and the nuances between persuasion and argument.

"It's about persuading an individual human being that you're right. That's a complicated thing," said Judge Spero. "I would say those who have that kind of emotional intelligence and that focus are really good."

When it comes to addressing the jury, skilled lawyers put themselves in the position of the jury, said Judge Lin.

"They build a narrative," Judge Lin said. "They recognize the jury is in a position where it's overwhelming."

Judge Illston wrapped the topic by saying good lawyers work hard and have integrity.

"Do not lie to me," Judge Illston said. "Tell me the truth."

The judiciary is presently firing on all cylinders, the judge underscored.

"Times ... are hard right now," Judge Illston said, later adding, "We need to work really hard to keep and preserve the system that we have.

Judge Spero echoed the remarks and urged lawyers to safeguard their credibility.

"If you come into a courtroom, and you behave in a dishonest fashion or disreputable fashion, you lose your credibility," the judge said. "And there's no quicker path to a loss than losing credibility with the court."

Judge Spero said when he senses that a lawyer can't be trusted, he stops listening to their arguments. But having integrity isn't just about what happens in the courtroom, the judge said.

"Credibility is critical for the country," Judge Spero said.

Judge Lin highlighted two areas where attorneys often falter: failing to provide direct answers to direct questions and not admitting when they don't know the answer

Part of that is "being willing to concede the facts" that don't favor your case, she said.

If it's a matter of not having an answer at hand, admit it's something you don't know and ask to provide the information later, Judge Lin suggested.

"It's way better than making it up and then later having to tell me it's wrong or misrepresenting something," the judge said.

Judge Lin said she's also irked when a party continually contacts her with accusations of misconduct from the other side, including some that are not significant.

"The temptation is to come right to us with every little accusation about the other side," Judge Lin said. "And you better be right, by the way."

Judge Spero advised lawyers not to unload all their arguments when standing before a judge, but to choose the best two.

He reminded audience members that while some firms can put many lawyers on one case, his team is small and working on hundreds of cases.

"The number of people working with the judge on your case in chambers is two," Judge Spero said. "When you prepare things to present to the court, they ought to be done with an eye towards a person who has very little time."

Judge Illston said during her counsel days, lawyers often used the "throw the spaghetti on the wall" to see what sticks strategy. That just makes more work for the bench, she said.

An efficient case also works for juries, Judge Illston later said.

"No jury ever complained that the trial was too short," she said. "The big complaint jurors have is about their time being wasted."

On a side note, Judge Illston disclosed that her courtroom deputy has a keen ability to predict the outcome of a case based on a jury's impression of the lawyers, including if counsel comes across as arrogant.

"It matters, if the jury likes you," Judge Illston said. "It really, really helps in terms of the result you get."

Judge Lin said that also circles back to perceptions of a jury's trustworthiness and impressions that counsel is "not hiding the ball."

As the discussion reached its end, Judge Lin, who joined the federal bench in 2023, disclosed that judges talk to each other about lawyers — good and bad.

"It's kind of shocking to me the extent to which judges talk about the lawyers that appear in front of their courtroom," she said.

--Editing by Lakshna Mehta.