

BARRY-DEAL, Betty, RETIRED ASSOCIATE JUSTICE, COURT OF APPEAL, First Appellate District, Division Three.

Appointed [succeeding Associate Justice Paul N. Halvonik, resigned] by Governor Brown Jr. July 18, 1980, confirmed by Commission on Judicial Appointments Aug 8, 1980, oath Aug 28, 1980, confirmed by electorate Nov 2, 1982, and retired from bench June 30, 1990. Served as Associate Justice *pro tempore*, same court, in Dec 1978 and Jan 1979. Judge, Superior Court, Alameda County, March 18, 1977 (date of oath) to Aug 28, 1980, appointed Feb 17, 1977 by Governor Brown Jr" and elected in 1978 (unopposed), Private law practice, Oakland, Alameda County, 1963-77 (most recently as sole practitioner, specializing in family, estate planning, and probate law; before that as partner in firm of Helzel, Leighton, Brunn & Deal; and initially as sole practitioner).

Research attorney and Assistant Managing Legal Editor, CEB, Berkeley, Alameda County, 1956-63 (Supervising Editor, *California Family Lawyer*, 1963; also authored, among others, chapter on "Establishing Fact of Death," *California Estate Administration*, 1961).

Admitted to Calif Bar June 16, 1955. J.D. (1952), Univ of Calif, Berkeley, Boalt Hall School of Law, B.A. (1944), Univ of Calif, Berkeley. Born April 25, 1921 in Reno, Nevada, and reared in Susanville, Calif. Married John Pierpont Deal (attorney) Nov 3, 1945 (deceased, 1951), Two children: Diana, born Oct 19, 1946 in San Francisco; and J. Thomas (attorney), born March 18, 1948 in Susanville.

Commissioner, Governor Wilson's Commission to Redraw State's Political Boundaries (should the Legislature fail to do so) to conform to 1990 U.S. Census, 1991. Member: Calif Judges Assn, 1977- (chair, Family Law Committee, 1979~80; member, Civil Law and Procedure Committee, 1978,79); Calif Judges Foundation, 1977- (President, 1984; Board of Directors, 1981,84); American Bar Assn, 1955 (Family Law Committee); Alameda County Bar Assn, 1955- (Board of Directors, 1970-72); Queen's Bench, 1955-; and Phi Beta Kappa, 1944-. Fellow, American Academy of Matrimonial Lawyers, 1974-. Former member, Calif Judicial Council, 1989-90. Democrat. Enjoys genealogy and gardening.

Significant decisions authored by Justice Barry-Deal include: *Wylie v. Gresch* (1987) 191 C.A. 3d 412, 236 C.R. 552 (holding landlord has neither a statutory nor common law duty to warn a prospective tenant of presence of vicious dog (pit bull) in neighborhood); *Barbara A. v. John G.* (1983) 145 C.A. 3d 369, 194 C. R. 128 (involving liability of man for damages to plaintiff woman rendered sterile by life-saving surgery necessitated by ectopic pregnancy resulting from voluntary sexual intercourse with man induced by his knowingly false representation he was sterile); *Diaz "*, *Oakland Tribune, Inc.*, (1983) 139 C.A. 3d 118, 188 C.R. 762 (reversing, because of erroneous jury instructions, judgment for plaintiff in invasion of privacy case by college student body president against newspaper and columnist for revealing transsexuality); *Gadbois "*, *Superior Court* (1982) 126 C.A.3d 653, 179 C.R. 19 (involving visitation rights of child's blood father before paternity was established); *Watt Industries, Inc. "*, *Superior Court (Sternberg)* (1981) 115 C.A. 3d 802, 171 C.R. 503 (relating to discovery in action by condominium seller against buyers for alleged fraudulent misrepresentation of their intent to reside in condominium); *KasloIiv, Castle* (1981) 115 C.A.3d 369, 171 C.R. 308 (involving defaulting buyer in land sale contract); and *In re Lynna B.*, (1979) 92 C.A.3d 682, 155 C.R. 156 (dealing with termination of parental rights).

Available as a private judge. Member, Alternative Adjudication, 1990-.