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## Who judges the judges?

In the recently concluded — and eye-opening — series entitled "New York's 10 worst judges," Post reporters Jack Newfield and William Neuman demonstrated in distressing detail that the judiciary in this town is sadly lacking in oversight.

By its nature, compiling such a list focuses attention on the bad actors — and thus can disguise the fact that New York, by and large, has a competent corps of judges.

And while it's possible that any one individual named to the list may have been judged too harshly, it's equally possible that a lot of judges who didn't make the list deserved to be at or near the top of it.

The fact of the matter is that — apart from courthouse insiders — nobody really knows which judges measure up to the responsibilities vested in them, and which do not.

And nobody's looking — at least nobody in a position to do anything about bad judges. One of the jurists examined by Newfield and Neuman is a perjurer; another appears to have a very serious drinking problem — yet both remain on the bench and likely will stay there indefinitely. Partisan politics of the

ranked sort routinely elevates spectacular incompetents to positions where — as the series demonstrated — they can do real damage.

It would be impossible, of course, totally to divorce politics from the judicial selection process — and to do so is probably not an altogether good idea to begin with. The so-called merit selection process is no more free of politicking than is the outright election of judges — it just takes a different form.

What's needed is meaningful oversight of judges once they're on the bench, irrespective of how they got there. The judiciary itself can't — or simply won't — police itself. That leaves the state Commission on Judicial Conduct — created for precisely that purpose but at present a distressingly toothless tiger.

To be sure, the commission is hell on wheels when it comes to disciplining rural justices of the peace and other small-town magistrates, many of whom are not lawyers. The next time it comes to New York City to do serious business, however, will be the *first* time it does so.

Newfield and Neuman established that there's a real need in this realm; the next move is the commission's.

Ex "A"