



JUNK JUSTICE

Critics: Review panel protects worst jurists

By AL GUART

The state commission being asked to review Brooklyn Judge Lorin Duckman rejects most serious complaints against judges without so much as a second glance, The Post has learned.

The Commission on Judicial Conduct, formed in

1975 to protect the public from bad judges, rejected 85 percent of the complaints it received in 1994 without a second look, the panel's most recent report shows.

Included in the rejected complaints were allegations of conflicts of interest, racial discrimination, election fraud and irrational behavior, documents obtained by The Post show.

"There are lots of Judge Duckmans — and judges far worse than Judge Duckman. That's because we have a commission that protects and covers up," said Elena Sassower, coordinator of the Center on Judicial Accountability.

Manhattan Supreme Court Justice James Leff said, "The biggest waste of taxpayers' money is probably the Commission on Judicial Conduct.

"They just do nothing with the complaints."

Leff criticized the 11-member panel for going after non-lawyer, part-time upstate justices of the peace while treating more powerful, politically connected judges with kid gloves.

"When it comes to serious cases, that they don't have time for," Leff said.

In 1994, the panel dismissed 1,230 of 1,438 com-

plaints — 85.5 percent — without any investigation, commission figures show. The year before, it dismissed 87.5 percent of the allegations. The number of complaints against judges has more than doubled in the past decade.

None of the 41 complaints against judges on the Court of Appeals or the

Appellate Division in 1994 was pursued and only one Family Court judge was disciplined, out of 147 complaints about that court.

Of the 208 cases the commission did look into, 47 were later dismissed, with 146 pending.

And of the 15 disciplinary actions the panel recommended that year, 12 were against part-time town justices. Only three were of higher court judges.

The only jurist removed from the bench was a small-town judge who failed to deposit court funds in an official account in 1993.

A review by The Post of numerous complaints dismissed by the commission since 1990 revealed well-documented allegations of judicial law-breaking, misconduct, abuse and ethical breaches.

In response to such claims, the panel routinely sends out form letters that read, "Upon careful consideration, the Commission has concluded that there was insufficient indication of judicial misconduct to warrant further inquiry."

When complainants asked for an explanation and for the names of commission members who dismissed the complaint, they were ignored.

The commission is made up of four judges, five lawyers and two civilians.

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from CJA's archive of duplicate complaints