

# State politicians to scrutinize judicial-conduct panel

By AL GUART

New York state officials say they will be closely watching the Commission on Judicial Conduct as it considers the case of Brooklyn Judge Lorin Duckman.

"A commission that's ineffective in his kind of case is worse than having nothing in place," state Senate Majority Leader Joseph Bruno (R-Rensselaer) told The Post.

Bruno, also chairman of the Senate Judiciary Committee, said the panel displayed "an apparent" lack of interest by routinely dismissing complaints against judges.

"We have to stop coddling these incompetents," he said, adding he will be "taking a look" at the commission when it is up for funding.

U.S. Rep. Nita Lowey (D-Westchester/Queens), who stum-

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REP. NITA LOWEY

bled into the commission's wall of confidentiality last June when she tried to assist a constituent, said, "We must ensure that the Commis-

sion on Judicial Conduct doesn't become the Commission on Judicial Cover-ups."

Michael Letwin, president of the Association of Legal Aid Attorneys, said, "The commission is not known for exercising a great deal of control over judicial misconduct."

The Post reported last week that the panel summarily dismissed 85 percent of complaints filed in 1994.

"It's not unusual to have a dismissal rate that high," the commission's executive director, Gerald Stern, said.

He added that 113 judges have been removed, and 350 disciplined, in the panel's 20-year history.

Stern said his \$1.5 million budget — down from \$2.3 million five years ago — is "not enough." The staff level has been cut from 45 to 21.

"There are cases we cannot properly investigate," he said. "There are no funds for travel or overnight expenses."

He agreed that lawyers' fear of retaliation by judges is a problem. But he said, "I believe there are a lot of lawyers who believe we're effective and some who believe we're too tough."

Stern said he favors public hearings once a judge is formally charged.

A sample of complaints dismissed without inquiry includes:

■ A charge that a Nassau County Surrogate Court judge ran a "charity" — whose contributors included lawyers who regularly appeared before him. Stern said the Office of Court Administration had "approved the existence" of the fund, but OCA

officials denied that.

■ A charge that a Bronx Criminal Court judge showed "a lack of judicial temperament" when he jailed a Legal Aid lawyer for 20 minutes last August for speaking to a client in his courtroom.

■ A charge that a Brooklyn Family Court judge jumped out of her seat screaming, "I'm sick of you" before having a lawyer removed from her courtroom last May.

The lawyer, who had asked to adjourn a case for 10 minutes so his client could be present, also accused the judge of gender bias.

■ A charge that a Brooklyn Criminal Court judge handcuffed a Legal Aid lawyer to a bench for 20 minutes in December 1991 because "she was late," sparking a walkout by 100 fellow lawyers.