

Weed out bad judges

Gov. Spitzer's crusade to clean up government corruption won't be complete until he dedicates more funding — a lot more funding — for the state Commission on Judicial Conduct, the agency that monitors and disciplines New York's 3,400 state judges.

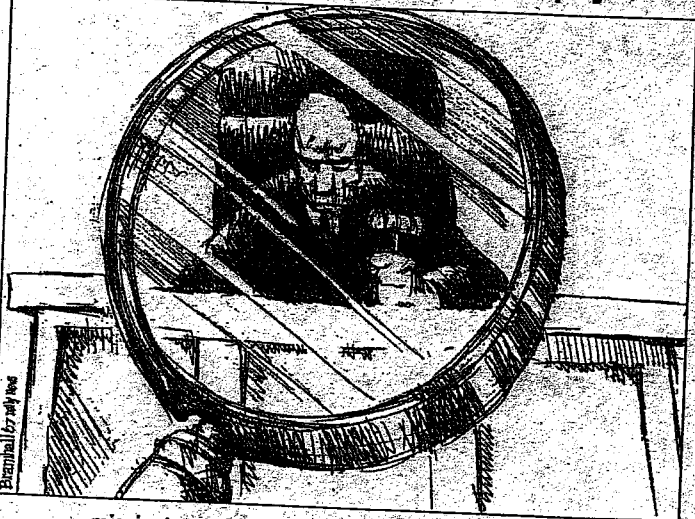
The commission is being starved of resources at a time when complaints about judicial misconduct are running at an all-time high — more than 1,500 complaints a year, charging judges with everything from biased comments during trials to accusations of favoritism or even bribery.

But in a typical year, only about 10 judges get any kind of punishment, ranging from official admonition to a recommendation of removal from the bench.

"We get by far more complaints than any other state," says the commission's administrator, Robert Tembeckjian, who has a yearly budget of only \$2.8 million and a staff of 28 to handle the flood of accusations of judicial misconduct throughout the state.

Compare that with 1978, when the commission had a staff of 63 and dealt with fewer than 600 annual complaints about judges. Since then, the number of complaints has more than doubled — but the com-

More resources will help nail corrupt jurists



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mission's staff has fell by more than half.

That is scandalous.

It also helps explain the wave of courthouse scandals in places like Brooklyn, where crooked judges — like pickpockets, burglars and other thieves — have felt free to break the rules, knowing that the agency watching the store is underfunded

and understaffed and overworked.

I'm talking about people like ex-Judge Victor Barron, who was sent to prison for shaking down a lawyer for a bribe in exchange for settling a personal injury case

More recently, Michael Feinberg was removed as Brooklyn's surrogate judge for steering excessive fees from the estates of the dead to one of Feinberg's pals.

It takes time and money to root out these crooks because the corruption can be hidden or subtle, requiring intensive investigation.

Take the case of Justice Larry Martin, who was elected to Brooklyn Supreme Court in 1994.

On at least two occasions — in 1999, and again in 2000 — Martin improperly sent letters on courthouse stationery asking other judges to impose lenient sentences on defendants who happened to be family friends of Martin.

ed to admonish Martin, noting that "in no case may a judge voluntarily communicate with a sentencing judge," and that Martin "should have recognized that such communications are strictly prohibited."

Now the judge is in the hot seat again. According to a lawsuit filed in November, Martin is hearing a real estate case, Singer vs. Riskin, in which the judge's personal lawyer — Jerome Karp, who defended Martin before the commission in the letter-writing cases — is representing one of the parties in the case, Ted Singer.

That's an obvious conflict of interest. Martin should have disclosed the Karp connection and recused himself from the case — but he didn't. So Tembeckjian's staff will need to spend time and money to sort through the charges.

And there may be hundreds of similar cases.

Tembeckjian and his staff do an admirable job of keeping an eye on judges. "Two years ago, we imposed more public disciplines than any two states combined," he told me yesterday.

But the commission needs beefed-up support to do more labor-intensive, old-fashioned investigation and enforcement. It's the only way to keep a close eye on judges who consider themselves above the law.