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Judging the Judges Needed-- The Lesson of the Impeachment of Porteous

By Robert Weiner

FOR OPEDNEWS

By ROBERT WEINER and ALICIA BRIANCON

For those who believe federal corruption is only among congressmen with Bahamian villas, voracious sexual appetites, or trips to airport bathrooms, guess again" it occurs all over our courtrooms, where we think we receive justice. It is also the most difficult branch to correct, because federal judges are appointed for life. What we need is a way to judge the judges.

After the House impeached the most recent offender, U.S. District Court Judge Thomas Porteous of the Eastern District of Louisiana, a New Orleans native, the Senate unanimously voted to remove him on December 8 th and revoke his retirement benefits. He was convicted of bribery, perjury, filing under a false name ("G.T. Ortous"), and failing to disclose assets and gambling debts. Prosecutor Adam Schiff (D-CA) countered that "it would make a mockery of the court system to leave him on the bench." Federal judges should learn the lesson of Porteous.

Porteous was not alone. In June, the House impeached U.S. District Judge Samuel Kent of Texas for obstructing a sexual harassment investigation.

In November, U.S. District Court Judge Jack Camp of Georgia plead guilty to drug possession, distribution of a government computer to a stripper, and carrying a concealed weapon. He frequently used cocaine, marijuana, and roxicodone with his stripper-friend.

Colleagues who know but don't tell what is going on are corrupt too. Judge Bruce Levine of the Commodity Futures Trading Commission never ruled for a complainant for twenty-two years -- a secret vow to Commission Chairwoman Wendy Gramm, wife of former Senator Phil Gramm (R-TX). Levine's friend, Judge George Painter, finally came forward "in good conscience" to reveal the Levine-Gramm pact right before his own retirement -- despite knowing the impropriety the entire time.

Most members of the Judiciary uphold their promise to rule fairly. They risk life and limb. U.S District Court Chief Judge for Arizona, John Roll, murdered Saturday in Tucson while meeting with Cong. Gabrielle Giffords, also received death threats in 2009 concerning rulings about illegal immigrants. The Association of Administrative Law Judges reported at the National Press Club that 200 threats and attacks were directed at administrative judges and their families the last four years -- over Social Security benefits and immigration rights. One claimant hit a female Los Angeles administrative law judge over the head with a chair, forcing her to retire --"the third judge assaulted with a chair last year.

One solution would be for federal judges to stand for re-election to prove their merit. Former U.S. Supreme Court Justice Sandra Day O'Connor disagrees --" she criticizes electing even local judges as " out in left field." Electing federal judges would open a door of contributions from special interest groups; corruption could run rampant.

Perhaps terms limits would reduce corruption. However, Edward Lazarus, CNN Justice contributor, believes wisdom from tenure is an essential part of what makes a good judge. Limiting terms would remove some bad judges, but good ones would be gone too.

If not by election or term limits, how CAN we stop judicial corruption?

Judges should have to sit for annual reviews by their bosses and peers. A peer review commission could seek reasoning for decisions and look for patterns that don't meet the common-sense test of merit-based verdicts. Judges could be investigated, admonished and removed.

Just as there are ombudsmen for government whistleblowers, judges should have an ombudsman and whistleblower resource at DOJ to report, without retribution, any corruption they see behind closed doors amongst their colleagues. Websites such as ratethecourts.com, the largest public forum on the U.S. court system, where anyone can rate any of the 27,000 judges on American Bar Association guidelines, should be better publicized and utilized. The reports and grades assigned should be taken into consideration when judges receive annual reviews.

Judges must be no more immune from investigation and prosecution than people in any other field. That way, they'll be motivated to do the right thing. It's time to judge the judges.

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Author's Bio: Robert Weiner, NATIONAL PUBLIC AFFAIRS AND ISSUES STRATEGIST Bob Weiner, a national issues and public affairs strategist, has been spokesman for and directed the public affairs offices of White House Drug Czar and Four Star General Barry McCaffrey, the House Government Operations Committee and Chairman John Conyers (D-MI), Congressman Charles Rangel (D-NY) and the House Narcotics Committee, and was Chief of Staff for the House Aging Committee and Chairman Claude Pepper (D-FL). He also was Legislative Assistant to Ed Koch of New York and a political aide to Ted Kennedy (D-MA) for his Presidential and Senate races. Bob worked at the Democratic National Committee at the Watergate as youth voter registration director in 1971-1972 when the constitution was amended to allow 18-year olds the vote. Since he left the White House in 2001, Bob heads up a public affairs and issue strategies company, Robert Weiner Associates. He is a regular political analyst on Radio America and has appeared on Bill Maher, CNN Crossfire, Today, Good Morning America, and the CBS, NBC, and ABC evening news. He is widely published in columns he writes on national issues in major papers throughout the country including recently the Washington Post, Denver Post, Miami Herald, Christian Science Monitor, New York Daily News, Baltimore Sun, Boston Globe, Cleveland Plain Dealer, Atlanta Constitution, New York Post, Washington Times, Sacramento Bee, Palm Beach Post, Salt Lake Tribune, Minneapolis Star Tribune, and Adweek. He is also regularly quoted in key media coast-to-coast, including the New York Times, Los Angeles Times, USA Today, AP and Reuters, concerning the presidential campaign and national issues.

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