

Met News

State Supreme Court Declines to Review CJP Admonishment of Judge Clarke

The state Supreme Court has declined to review the Commission on Judicial Performance's public admonishment of Los Angeles Superior Court Judge Edmund W. Clarke Jr. for comments made to and about potential jurors during jury selection. The justices, at their weekly conference in San Francisco Wednesday, voted unanimously to deny the petition for review filed by Clarke in December. The commission ruled in September that Clarke's comments to four venire members were "discourteous and undignified," and that he had acted improperly in requiring one of them—who had criticized her treatment by the courtroom clerk—to remain in the hallway after excusing her from service in that trial. Charges related to a fifth prospective juror were rejected, in accordance with the findings of a panel of special masters.

The commission disagreed with a panel of special masters, who found that Clarke's comments to one panelist constituted improper action—the least serious level of misconduct under the CJP's rules—but that there was no other misconduct.

"For many members of the public, jury duty is their only direct contact with the court system," the commission said. "When a judge engages in a pattern of discourteous and undignified treatment of jurors, public confidence in the integrity and impartiality of the judicial system is eroded."

The commission noted that Clarke had previously received private discipline for making similarly inappropriate remarks to a pro per defendant. The combination of the current findings and the prior discipline "convinces us that a public admonishment is the appropriate discipline."

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