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Lawyers judge the judges in survey

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Most of Bexar County's elected judges know the law and work hard, but a handful are perceived to lack judicial temperament and perform poorly on the bench, according to a recent survey among local lawyers.

The survey, conducted in October by the San Antonio Criminal Defense Lawyers Association, was mailed to 4,645 Bexar County lawyers. Twenty percent -- 942 lawyers -- responded to the survey, which was not scientific although the ballots were coded to avoid duplicate answers.

"Not every one of these judges will approve of this, but it seems that some of them have forgotten that they are serving in a public office. I'm a big proponent of judicial accountability," said Angus McGinty, who co-chaired the project with fellow lawyer **Mark Stevens**.

Stevens said the survey was intended to help potential candidates consider running for benches in the March primaries.

"By and large, I think the judges did outstanding, and the judges who didn't do well should watch the judges who did do well to see what they are doing," Stevens said.

Of the 50 judges included in the survey results, only three received less than a 50 percent approval rating for overall performance, while 39 drew favorable ratings from 70 percent or more of the respondents.

The results are posted on the association's Web site, www.sacdla.com.

The survey asked six yes-or-no questions about each jurist regarding work habits, punctuality, ability to follow the law, impartiality and temperament.

Lawyers were asked to respond only if they had personal knowledge of the judge they were rating.

Among the 11 criminal district judges, Sid Harle and Laura Parker ranked highest in overall performance, and Carmen Kelsey and Mark Luitjen ranked lowest.

Among all 50 judges, Luitjen had the second-lowest ranking for "judicial temperament," and civil Judge Andy Mireles ranked the worst. Among responding lawyers, only 35 percent said Luitjen showed good judicial temperament, and only 30 percent said the same for Mireles.

Mireles, who also ranked lowest in overall performance among civil district judges, declined to comment. The highest-ranked civil judge was Joe Frazier Brown, a relative newcomer to the courthouse.

"I haven't been on long enough to make anybody angry," Brown quipped.

Luitjen believed his unfavorable rating could be tied to the way he pushes his docket.

"This court is the most efficient court. I don't get reversed (by the appellate courts). I can't make everybody happy and I suppose that if I did, it would be suspicious," Luitjen said.

Among county court-at-law judges, Sarah Garrahan-Moulder ranked highest in overall performance while Karen Crouch ranked lowest. Still, Crouch garnered a favorable rating from more than 55 percent of responding lawyers. Second-highest in overall performance was David Rodriguez, while second-lowest was Al Alonso.

Like Luitjen, Crouch defended her position, saying that she is among the leaders in collecting fines and trying cases and that her backlog was lowest.

"I make you do what you're supposed to do, even though you may not want to," Crouch said.

The survey is believed to be the first in Bexar County since the San Antonio Young Lawyers Association conducted one in the 1980s, Stevens said. Associations in Dallas and Harris counties conduct such surveys annually. Appellate lawyer Jay Brandon conducted an informal survey in 1994 for a newspaper analysis.

"Undoubtedly, those running for re-election who scored well will use this poll to their advantage, and the opponents of those who scored poorly will do the same," said local lawyer Bobby Barrera, who conducted the Young Lawyers poll roughly 20 years ago.

"As to whether the poll is fair to the sitting judges, I think that until someone comes up with the equivalent of a judicial 'bar exam' there is no other way to inform the public as to the performance standards of the judges who preside in Bexar County."

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