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The Times-Picayune

TP challenges closed hearing

Access to pleadings sought in Jeff case

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The judge handling the drug conspiracy case against former Jefferson Parish Judge Ronald Bodenheimer improperly held a closed-door court hearing and sealed more than 20 pleadings, according to a motion filed Friday by The Times-Picayune.

Attorneys for The Times-Picayune asked U.S. District Judge Ginger Berrigan to unseal the pleadings and to provide the newspaper with transcripts from any closed court proceedings.

The only document in the public court record that might explain the sealed pleadings is a Sept. 11 protective order that relates to surveillance federal investigators conducted on Bodenheimer's court chambers and telephones during an 8-month investigation into possible corruption at the Jefferson Parish Courthouse.

The newspaper's motion contends Berrigan's sealing of the pleadings is improper because she did not hold a hearing and because she provided no explanation of what the pleadings are or why they are under seal.

The judge also closed a hearing Wednesday on a defense motion to suppress the wiretap evidence without the standard procedure of providing notice that she was considering closing the hearing or holding a hearing to address why secrecy was required.

The defense's suppression motion was denied, but Berrigan, who was appointed by President Clinton, kept her reasons for denying it secret. She also issued a gag order in the case the same day.

Bodenheimer is scheduled to go to trial April 14 on charges that he conspired to plant drugs on an FBI informant who had criticized the operation of his Venetian Isles Marina. He has pleaded innocent and remains under house arrest.

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