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Judge delays decision on opening court records

TP seeks documents in case against judge

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A New Orleans Criminal District Court judge delayed until Thursday a ruling on whether to make public motions and other pleadings filed with the court in the perjury and extortion case against former Civil District Judge C. Hunter King.

The Times-Picayune requested the pleadings after finding they were not in the file available to the public at the Criminal District Court and that the minute entries in the case said 19 motions and pleadings had been filed under seal. As of Friday, the pleadings were not a part of the public record in the case.

Judge Julian Parker issued a gag order on March 19, prohibiting prosecutors and defense attorneys from speaking to reporters about the King case. The judge also agreed to seal evidence in the case, and the clerk of court is also subject to the gag order.

A handwritten note repeating the substance of Parker's order is pasted on the cover of the file kept by the clerk of criminal court.

Parker on April 23 denied that he had sealed the record. He said the clerk's office, not his staff, affixed "that silly piece of paper" to the file. However, the clerk's office has repeatedly rebuffed a reporter's request to review the file, citing Parker's order.

King, 42, is charged with perjury and public salary extortion related to his admission last year that he forced court employees to work on his re-election campaign and then lied about it under oath.

The Louisiana Supreme Court unanimously removed King from the bench in October, after finding that his behavior violated judicial rules.

In requesting that Parker release the documents on Monday, attorney Jim Swanson, representing the paper, said a variety of federal and state court opinions in similar cases have upheld release of such information.

Parker said he didn't mean for the motions and pleadings in the case to be included in his order sealing evidence. And he said he might have responded favorably to the paper's request to unseal the pleadings but for recent coverage of the document controversy, especially a The Times-Picayune column by James Gill that Parker labeled as a racist attempt at intimidation.

Parker said the paper's coverage may have biased potential jurors and that he is considering changing the trial venue to a location outside the newspaper's circulation area to protect King's

fair- trial rights.

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