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The Times-Picayune

TP asks court to turn down Copeland's secrecy request

Restaurateur wants custody files sealed

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East Jefferson bureau

The Times-Picayune went to court Thursday to oppose Al Copeland's effort to seal the public record and close the hearings in his domestic dispute, a case already tainted by a corrupt judge.

The multimillionaire restaurateur, battling ex-wife Luan Hunter, asked 24th District Judge Hans Liljeberg on June 27 to keep the case secret in the interest of the couple's only child, a 6-year-old boy. His request came three years after Copeland and Hunter filed for divorce, a point noted by newspaper attorneys Jim Swanson and Lori Mince.

Liljeberg inherited the case Jan. 1, when he succeeded Judge Ronald Bodenheimer on the bench. Bodenheimer and Phil Demma, a mutual friend of the judge and the restaurateur, have since pleaded guilty to conspiring to fix the case in Copeland's favor, at a time when Bodenheimer was seeking a contract to supply Copeland's eateries with shrimp from the judge's marina. Copeland's corporate attorney, Bryan White, pleaded guilty to knowing about the scheme but not reporting it.

"Although this case received very little press during its first 2 years, the case has become a matter of legitimate public concern by virtue of the conduct of certain of the participants in the case," the newspaper's attorneys wrote.

The newspaper's petition says court secrecy violates the U.S. and Louisiana constitutions and the public's common-law right of access to court records. It says other courts have frowned on closing court proceedings without a determination that the public's right to openness is trumped by an "overriding interest based on findings that closure is essential to preserve higher values and is narrowly tailored to preserve that interest."

Demma has told the FBI that Copeland was involved in the scheme, and Copeland's attorney has conceded that his client once met with Bodenheimer to discuss the case. But Copeland has publicly denied knowing about a criminal effort to rig the case.

"Rewarding Copeland's alleged wrongful conduct by closing the proceedings, which are related to ensuring the integrity of the system he allegedly corrupted, would be a perverse result indeed," the newspaper's attorneys wrote. "What the Jefferson Parish court system needs now . . . is not more secrecy; rather, what is plainly needed is a full, open and public access to proceedings."

Liljeberg is set to hear the secrecy request July 29.