

Watchdog group releases New York judicial profile database

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sions on their cases.

Under New York State law, judges have discretion over which opinions they choose to or not to publish. According to data from Scurtize, judges publish decisions so rarely that those who only occasionally publish find themselves at the top percentiles of their peers.

For example, the database shows Queens Justice Wanda Licitra of the Supreme Court, Criminal Term, who has sat on the bench for six years, has a publication rate of 18 decisions per year, higher than 99.4 percent of all judges included in the dataset.

In a different case, Queens Supreme Court Justice Ushir Pandit-Durant, who has served as a New York judge for 10 years, published at a rate of 0.3 decisions per year, according to Scurtize. This rate still puts Pandit-Durant higher than 64.41 percent of all judges in the dataset.

The database also includes information about cases where an appeals court found the judge issued excessive sentences that were later reduced. The total combined reduced years the judge was found to have excessively sentenced defendants is also included.

Excessive sentencing findings at the appellate level are rare and, as a result, any judge who has been found to have only once issued an excessive sentence ranks higher than 89.23 percent of all judges in the dataset.

Judges who were found to have made six excessive sentences during their career issued more excessive sentences than 99.68 percent of all judges on the dataset.

In New York City, the top five judges found to have issued the most excessive sentences have all served on the bench for at least 20 years.

Judge Robert M. Mandelbaum of the New York County Supreme Court, Civil Term, has the highest number of excessive sentences found by the appellate courts in the state. In the 20 years Mandelbaum has sat on the bench, nine of his sentences were found to be excessive and later reduced. Combining the sentences of all nine of those cases, the appellate court reduced a combined 56 years from Mandelbaum's sentences.

The decisions and opinions of the appellate court excessive sentence findings can also be read on the database.

The database comes as advocates and lawmakers call for transparency reforms around the thousands of cases that judges make decisions about every year.



A database that aims to lift the veil on judicial decisions was released by a government watchdog group this week.

Eagle file photo by Walter Karling

Earlier this year, the Criminal Court Opinion Transparency Act, sponsored by Queens State Senator Michael Gianaris, was passed by the State Senate's Judiciary Committee. The bill would require the state to publish Criminal Court opinions on motions to exclude expert testimony, dismiss charges, suppress evidence, omnibus motions and many others.

"New Yorkers deserve a court system that is transparent and accountable," Gianaris said in a statement earlier this year. "The gravity of these decisions warrants greater openness and my proposal will ensure the rights of everyone in our legal system are protected and judges' records are clear for the public to see."

A Unified Court System spokesperson told the Eagle earlier this year that the current bill as drafted "poses immense operational burdens far beyond the ability of the Unified Court System to handle," and more work needed to be done.

The Criminal Court Opinion Transparency Act currently sits in the State Senate Finance Committee.

BEHIND THE BENCH

Johnny Thach has come a long way from the laundromat

By Noah Powelson
Queens Daily Eagle

Johnny Thach never saw himself working in the courthouse as a kid, a time when he spent most of days helping his mom run the family laundromat.

A child of Vietnamese immigrants, Thach was born and raised in Elmhurst but moved throughout Queens growing up. Financial difficulties required his family to relocate from his childhood home, but Thach said that experience, while difficult, gave him more appreciation for the World's Borough.

"I love Queens, it's home for me," Thach told the Eagle.

Because of his childhood, Thach got a lot of exposure to the struggles immigrant families in the city face. That experience, Thach said, was the real motivator that made him seek out law school. He never knew any lawyers growing up and didn't have guidance for how to start the process, but saw the law as a great avenue for advocacy work.

"When you are growing up in an immigrant family, it's often very difficult because that road really isn't paved for you," Thach told the Eagle. "A lot of it is based on your own diligence."

Thach and his brother were the first of their family to go to college, and Thach is first to go to law school. Now, he serves as the principal law clerk for Civil Term Supreme Court Justice Karen Lin.

"It was really my desire to do more," Thach said. "Since graduating from law school, I've been able to advocate for tenants. Now, in my role as a law clerk, I'm able to help the judge

and help litigants."

As a lawyer, Thach's work primarily focuses on helping immigrants with legal services around housing, criminal, and other issues. Under Lin, Thach meets with counsel and helps mediate legal disputes. He also frequently works with the Asian American Bar Association and assists with their events, and spends some of his time volunteering for pro bono clients.

"I'm just trying to be as involved in the community as much as possible and give back," Thach said. "That's what I endeavor to do, not just now but moving forward."



Johnny Thach, principal law clerk for Judge Karen Lin.
Photo provided by Johnny Thach

Bill to increase number of justices moves to Senate floor

By Noah Powelson
Queens Daily Eagle

One of two bills that aims to increase the number of Supreme Court justices throughout New York was passed by the State Senate's Judiciary Committee this week.

The Uncap Justice Act, which would eliminate the constitutionally-mandated equation for determining the number of Supreme Court justices in each New York county, began to move its way to a full Senate vote, bringing it closer to its passage than a competing piece of legislation that has similar aims.

Under New York's constitution, each judicial district is allocated one Supreme Court justice per 50,000 residents, a limit lawmakers and advocates say is preventing new judicial appointments necessary to address court backlog.

The bill removes the limit entirely and frees the legislatures to begin the process of creating new judicial seats as needed. The bill, which passed out of committee on a 12-4 vote, has received strong bipartisan support from state lawmakers, the governor and district attorneys.

The bill has also gained equally strong judicial condemnation.

Judicial leaders, including several in Queens, say the population limit is still important to maintain judicial independence and shouldn't be eliminated entirely.

Critics argue removing the limit would politicize judicial appointment by giving legislators unbalanced control over where new seats are created, a claim that the bill's Assembly sponsor, Assemblymember Alex Bores, said is unfounded during an interview with the Eagle earlier this year.

Most of the opponents of the Uncap Justice Act support a different bill sponsored by Queens State Senator Leroy Comrie and Bronx Assemblymember Jeffrey Dinowitz as an alternative solution.

The Leroy/Dinowitz bill was introduced early this year and would reduce the population cap to 30,000 instead of removing the limit outright.

The Leroy/Dinowitz bill still currently sits in committee.