

Panel tries to keep files secret

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© St. Petersburg Times, published January 31, 2002

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TAMPA -- The state agency that regulates Florida judges has hired noted attorney Barry Richard to make sure records about Hillsborough Judge Gregory Holder stay secret.

The Judicial Qualifications Commission hired Richard, who represented President George W. Bush during the 2000 election recount, to fight newspaper requests to inspect records on Holder.

The JQC charged Holder in January with giving a false or misleading answer on an application to become a federal judge. The JQC alleged that Holder did not disclose that the JQC's chairman had spoken with him about unspecified complaints.

But the JQC's publicly-filed charges do not explain what the complaints were or how the JQC handled them. The JQC special counsel on the case did not return calls seeking comment.

The JQC isn't releasing the records even though Holder signed a waiver of confidentiality authorizing the panel to release all information about him to the press.

The Florida Constitution requires the JQC to keep complaints against judges confidential unless the agency formally charges a judge with misconduct.

Even so, the JQC has released information about complaints before when a judge signs a waiver of confidentiality.

But not in this case.

"I think their position is legally sound," said Richard, who has represented newspaper and press organizations on public records issues in the past.

Richard, who charges clients hundreds of dollars an hour, said he took the JQC's case for free. He said the influential group of judges, lawyers and citizens has no state money to pay him.

The JQC's refusal to release the records comes as the state House of Representatives is preparing for hearings on a constitutional amendment that would make the commission's workings more public.

The chairman of the House Judicial Oversight Committee, which will hold the hearings, said the JQC

should open Holder's records.

"It's wrong, wrong, wrong," said state Rep. Larry Crow, a Palm Harbor Republican. "They should open it up immediately."

Once the JQC closes an investigation, Crow said, the public should know what it did. "Public scrutiny yields the truth, generally," Crow said.

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