

Senators scold judge for remarks

A slur and an insult delivered in court

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A Superior Court judge from Middlesex County was upbraided yesterday by a key Senate committee considering his reappointment to the bench for directing a racial slur at a plaintiff in a child-support case and calling her daughter "a sponge."

Judge Fred Kieser Jr. of Metuchen admitted to the Senate Judiciary Committee he told a woman seeking payment for her daughter's tuition at Middlesex County College in 2005 that her ex-husband "should not be treated as a cash register, that this is not a free lunch."

He also told the woman "no tickee, no laundry," a racial slur mocking Chinese laundry services that require a claim ticket before returning clothes, after she failed to provide proof of her daughter's enrollment at the two-year school, Kieser said. "I also indicated that the petitioner's daughter was a sponge," he said.

Kieser was privately admonished for the remarks in October 2005 by the Advisory Committee on Judicial Conduct, said state judiciary spokeswoman Tamara Kendig. A private admonishment is done when the committee finds a judge's conduct does not merit a public hearing but believes it would reflect unfavorably on the office if it became habitual.

Kieser, 67, a registered Republican whose initial seven-year term began April 2, 2001, said the remarks came on a day when he had a heavy caseload, had not eaten lunch and had to deal with the pain of a broken tooth that was set to be fixed later that afternoon.

Still, Kieser said, he did not

believe the comments were inherently racist: "The litigants were African Americans and the racial slur, I think, was a slur against Asians. Again, there's no excuse for it. All I'm saying is there is a difference, at least in my mind there is."

"The best way to explain it," he said at another point, "was to say I had a bad day."

The committee ended its hearing without a vote on Gov. Jon Corzine's reappointment of Kieser, which would allow the judge to serve until he reaches the manda-

tory retirement age of 70, but not before several lawmakers took the judge to task.

"If you look at it in its totality, I think it's verbal abuse directed at litigants," said Sen. Nia Gill (D-Essex), who also criticized his low judicial ratings on resourcefulness, open-mindedness and absence of bias. "It clearly establishes a pattern of conduct that I don't think we're going to reward you today with tenure."

Sen. Bill Baroni (R-Mercer) said he was planning to abstain on the vote until Kieser's response that his comments were not racist because the woman was not Asian.

"Do you believe that that com-

ment, when made to anyone, is racially insensitive or is it insensitive made only to a specific ethnic group?" Baroni asked.

"It's insensitive to any group," the judge said.

"You've sort of changed your view in the last 20 minutes," Baroni said.

"I'd say so, yeah," said Kieser, who was reassigned to the Superior Court's Civil Division last September after spending six years in Family Court. After the hearing, he declined to give odds on the success of his nomination.

"I don't know," Kieser said. "I get myself into trouble by talking so I'm not going to talk."