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Judge's voice quickly slurred in court, audio shows

By [Rafael Olmeda](#), Sun Sentinel

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Something was wrong.

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Broward County Judge Gisele Pollack's voice was slurring while she was addressing defendants in her misdemeanor drug court on Tuesday. Some of her words were difficult to understand.

The change from normal to noticeably impaired took place quickly — over the course of just under an hour, according to an official recording of the proceedings. The recording ends abruptly, with no indication of why Pollack stopped hearing cases.

Sources said she left the bench and was later overheard arguing with her judicial assistant for her keys.

"There are things besides alcohol that can make someone sound that way," said Eric Schwartzreich, who is advising Pollack in the wake of Tuesday's proceedings and her later promise to enter an alcoholism treatment program.

Schwartzreich noted that Pollack, who has long admitted to being a recovering alcoholic, has been depressed lately over the death of her mother and other family-related problems. She didn't show up for court on Wednesday, but she did meet with Chief Administrative Judge Peter Weinstein. On Thursday, she returned to the bench and said she would be seeking treatment in Weston over the next two weeks.

Pollack is the second Broward judge to confront an alcohol-related issue in recent months. In November, Broward Circuit Judge Cynthia Imperato was reassigned from the criminal division to foreclosures after she was arrested on suspicion of drunk driving in Palm Beach County.

While Pollack is generally highly respected in the courthouse, not everyone believes treatment is enough to address what happened Tuesday.

"I don't think there's a question that she was under the influence of something while she was on the bench," said attorney Steven Schaet. "Could you imagine doing a night in jail because a judge couldn't understand or appreciate your argument? If she's adversely affected someone's life, she shouldn't be on the bench."

Schaet said he did not feel the same way about Imperato because her alleged misconduct didn't take place on the bench.

But most lawyers reached this week said Pollack is a positive force who deserves to keep her job.

"She is uniquely situated to be a judge in a courtroom like that," said defense lawyer Ed Hoeg, a former colleague. "I'm totally confident that she's going to get a handle on her issues."

The Broward State Attorney's Office declined to comment on Pollack's situation.

"She's someone who deserves a lot of respect," said defense lawyer Andrew Coffey. "Unfortunately, with everything she's going through, it appears she had a relapse of some kind. When I first heard about it, it was shocking. This is someone who shows tremendous compassion for everyone who appears before her."

Pollack, 55, is a former assistant public defender first elected judge in 2004. She acknowledged her past with alcoholism during her campaign, and after she won election, she helped establish the marijuana drug court to give misdemeanor offenders a chance to wipe their criminal records clean after treatment.

Her job pays \$134,280 a year.

In the recording of Tuesday's session, Pollack strikes a positive tone, with a clear voice, with most defendants who are doing well. She uses an admonishing tone with those who are off track.

As is her usual custom, she led the courtroom in rounds of applause for defendants who successfully completed their treatment.

To a defendant who suffered what he called a "setback," Pollack was stern. "I don't think he's serious," she said, the last word drawn out. "I'm gonna take a weekend in jail, this weekend, all right? And you do [an intensive outpatient procedure] the way you're supposed to do it, and I'll keep you out of custody."

She later clarified that she was sending the defendant to jail over the weekend.

Her voice slurred noticeably when she warned another defendant to stay off marijuana. "You've got 40 days to be clean, all right? Otherwise you're going into custody."

By the time she saw her last defendant, Pollack sounded weary and her words dragged.

"You have to go and get a report," she said. "I'll see you in two, umm, three weeks. I want a report. OK."

Schwartzreich said Pollack is acknowledging and confronting her issues. "I just hope she is treated as compassionately as she treats those who come before her," he said.

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