

Press Release

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FOR IMMEDIATE RELEASE

PUBLIC REPRIMAND ISSUED TO THIRD JUDICIAL DISTRICT COURT JUDGE WILLIAM A. JOHNSON

The Minnesota Board on Judicial Standards (Board) has issued a public reprimand to 3rd Judicial District Judge William A. Johnson. The public reprimand was issued because the cases of *Burmeister v. Burmeister* and *Mueller v. Mueller* were not decided within the period of time permitted by law. *M.S. 546.27* requires case decisions of this type to be issued not later than 90 days of the date submitted. The decision in the *Mueller* matter was issued 119 days after the date submitted. The decision in the *Burmeister* matter was issued 138 days after the date submitted. Judge Johnson was previously disciplined for two prior case delays, the first in 1993 and the second in 2008.

Judge Johnson's failure to issue these two decisions in a timely manner was contrary to the *Minnesota Code on Judicial Conduct*, *Canon 1, Rules 1.1 and 1.2, Canon 2, Rule 2.5*, as well as the *Rules of the Board on Judicial Standards*, ("*R.Bd.Jud.Std.*"), *Rules 4(a) (5) and (6)*. *M.S. 546.27* requires case decisions of this type to be issued within 90 days of the date submitted. *Canon 2, Rule 2.5* requires judges to perform judicial and administrative duties "competently and diligently." *Comment 4* to the rule requires that cases be resolved "promptly" and "efficiently."

The applicable canons and rules are set forth below:

Canon 1

A Judge Should Uphold and Promote the Independence, Integrity and Impartiality of the Judiciary, and shall Avoid Impropriety and the Appearance of Impropriety.

Rule 1.1 *Compliance with the Law*

A judge shall comply with the law, including the Code of Judicial Conduct.

Rule 1.2 *Promoting Confidence in the Judiciary*

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Canon 2

***A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE
IMPARTIALLY, COMPETENTLY, AND DILIGENTLY.***

Rule 2.5 *Competence, Diligence, and Cooperation*

(A) A judge shall perform judicial and administrative duties competently and diligently.

Comment

[4] In disposing of matters promptly and efficiently, a judge must demonstrate due regard for the rights of parties to be heard and to have issues resolved without unnecessary cost or delay. A judge should monitor and supervise cases in ways that reduce or eliminate dilatory practices, avoidable delays, and unnecessary costs.

***Rule 4, Rules of the Board on Judicial Standards
Grounds for Discipline or Other Action***

- (a) Grounds for Discipline or Other Action Shall Include:
- (4) Habitual intemperance;
 - (5) Conduct prejudicial to the administration of justice that brings the judicial office into disrepute. . .
 - (6) Conduct that constitutes a violation of the Code of Judicial Conduct or Professional Responsibility.