

## **SUMMARY**

William D. Johnson

April 4, 2006

### **Canon 2**

Rule 2.08 (C)

Mr. Johnson questions the need for a complete prohibition against a judge having a substantive discussion with jurors when a case is indisputably over.

Rule 2.10 (B)

He finds the prohibition against a judge conducting independent research in a matter to be too constraining, possibly eliminating some desirable results of increased information. If a problem occurred, he reasons, the current available post-decision motions can address the situation.

### **Canon 3**

Rule 3.04

Mr. Johnson finds that the prohibition against membership in discriminatory organizations will lead to further isolation of judges, and that it will have an overall chilling effect. He thinks that requiring judges to ascertain if an organization practices invidious discrimination is too onerous a burden. He also wonders if a judge's membership in a religious organization, as permitted by the rule, will serve as a basis for a disqualification motion under Rule 2.12, or as the basis for a violation of Rule 4.01 questioning the judge's impartiality.