

January 24, 2000

Honorable Gary Isbell  
Circuit/Chancery Judge, 2nd Division  
Baxter County Courthouse  
Mountain Home, AR 72653

RE: Case #99-203

Dear Judge Isbell:

In its January 21, 2000 meeting, the Judicial Discipline & Disability Commission reviewed complaint #99-203. In that complaint, it was alleged that in the case of Howery v. Jefferson, you violated the Code of Judicial Conduct by failing to dispose of judicial matters promptly and efficiently.

The Commission considered the facts and circumstances surrounding the allegation, your statements, documents and other evidence before the Commission. Applying this material to the Code of Judicial Conduct, the Commission found that there had been conduct that might be cause for discipline.

The Commission did find that a post trial hearing was held on July 11, 1995 and that the parties filed their respective post trial briefs on July 21 and July 24, 1995. Subsequently, you prepared a draft of the final judgment at your home but never transmitted the draft for its final typing and mailing. After one of the attorneys asked about the decision in the Howery v. Jefferson case, you located the draft order and transmitted it to your secretary for final action.

When the final order was filed and mailed on February 10, 1997, you included a letter of apology for the delay to the respective attorneys and their clients. You recognized your responsibility for the delay of this matter. You have also taken steps to correct the procedure to prevent this type of delay in the future.

The Commission has instructed me to give you notice of this informal resolution and in view of the corrective action you have taken to prevent this type of violation again, no further action will be taken. This Commission action is public information.

Sincerely,

James A. Badami  
Executive Director

cc. Joe Jefferson

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