

# FEDERAL COURT WATCH

BY GARRY STURGESS

## Two Tardy Judges Are Late Yet Again

More than a month after federal judges were mandated by Congress to disclose information about unresolved cases languishing in their courtrooms, two judges in the District of Columbia have yet to comply with the new law.

The two scofflaws are U.S. District Judges John Garrett Penn and Norma Holloway Johnson. Nationally, of the more than 700 judges who must report in, fewer than a dozen have failed to file.



**John Garrett Penn**

“The failure to report has not been a problem,” says David Sellers, a spokesman for the Administrative Office of U.S. Courts. Of the Penn and Johnson tardiness, he notes, “It’s pretty atypical.”

Penn and Johnson already have reputations for delayed rulings, and their failure to report is a double embarrassment. Penn’s backsliding comes as he is about to take over as chief judge from Aubrey Robinson Jr., who must give up the job when he turns 70 next March.

Penn refused to be interviewed on the subject, and Johnson did not return telephone calls. Judicial colleagues, asked to comment, begged off.

“It’s too sensitive,” said one.

The Civil Justice Reform Act of 1990 calls for judges to report motions and bench trials that are more than six months old. The judges are also required to report cases that have not been terminated within three years of filing. There is no sanction for judges who fail to comply.

In any event, says Sellers, “there is no reason to think that any judge is willfully avoiding the law.”

“There is a clear distinction between willful defiance and lateness,” Sellers adds.