



## Jeff Geiger Counters

### Judge Rules After 11 Years

**By: Jeff Geiger. *This was posted Friday, December 3rd, 2010***

Imagine this. You sue a company and the judge holds a bench trial in November of 1999, and takes the matter under advisement. The judge issues a ruling ten years and eleven months after the initial trial. Who said justice delayed, is justice denied?

Believe it or not, this is a real story. Apparently, the Tennessee judge handling the case owned up to the delay and admitted responsibility. In issuing a [public reprimand](#) to the judge, the Tennessee Court of the Judiciary concluded that the judge violated Canon 3B(8) of the [Code of Judicial Conduct](#) which requires judges “to dispose of all matters promptly, efficiently, and fairly.” Of course, lawyers have an analogous [duty](#) to “act with reasonable diligence and promptness.” According to the public reprimand, plaintiff’s counsel filed motions to ascertain the status of the case in March of 2003, and July of 2009 (in response to which the judge indicated he would issue an opinion by September). Putting aside the judge’s misconduct, the nagging question in my mind is why were the lawyers not jumping up and down to get a ruling? If they were, a public reprimand may be sufficient. If they weren’t, do the lawyers then hold some responsibility for the delay?

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