



Judicial Discipline & Disability Commission

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EXECUTIVE DIRECTOR

P R E S S R E L E A S E

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FOR IMMEDIATE RELEASE

April 25, 2017

The Judicial Discipline & Disability Commission today announced that a Letter of Admonishment has been issued to Fifth Judicial District Circuit Judge William "Bill" Pearson, of Pope, Johnson and Franklin Counties, in Commission case #17-109 and #17-112. A copy of the Letter of Admonishment against Judge Pearson follows this press release.

David J. Sachar, Executive Director



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DAVID J. SACHAR
EXECUTIVE DIRECTOR

April 25, 2017

Honorable William "Bill" Pearson
Fifth District Circuit Court, Division 1
P.O. Box 1406
Clarksville, AR 72830

Re: JDDC Case No. 17-109 and 17-112

LETTER OF ADMONISHMENT

Dear Judge Pearson:

You were alleged to have committed violations of the Arkansas Code of Judicial Conduct in the above referenced cases. The following facts comprise the violations which you agree are no longer alleged but proven:

UNDISPUTED FACTS:

1. William "Bill" Pearson (hereinafter referred to as "*Pearson*") has served the Fifth (5th) Judicial District as a Circuit Court Judge since 2008. The Fifth Judicial District is Pope, Johnson and Franklin Counties in Arkansas. Pearson is the Division 1 Judge and maintains 100% of the criminal dockets for all three counties in the district.
2. JDDC Case No. 17-112 was filed by Executive Director, David J. Sachar (hereinafter referred to as "*Sachar*") as a result of the events of January 20, 2017 in Johnson County, Arkansas.
3. JDDC Case No. 17-019 was filed anonymously and was merged into #17-112 by a unanimous vote of Investigation Panel No. 1.

4. On Friday evening, January 20, 2017, Pearson was charged by Arkansas State Police with the offenses of Driving While Intoxicated, Reckless Driving, Refusal to Submit to a Chemical Test and Fleeing.
5. On Monday, April 17, 2017, Pearson entered a plea of guilty to the charges of Driving While Intoxicated and Reckless Driving, both misdemeanors.
6. Pearson accepts full responsibility for his conduct on January 20, 2017.
7. Pearson has been open and candid in all communications with the Commission in compliance with Canon 2, Rule 2.16. Additionally, Pearson initiated contact with Arkansas JLAP and is actively taking steps to avoid this type of future behavior.
8. Pearson's actions in paragraph one (1) through five (5) violated Canons 1.1, 1.2 and 3.1.

RELEVANT AUTHORITY:

The Judicial Discipline and Disability Commission ("JDDC") determined, and you agree, that the above described behavior violates the following sections of the Code of Judicial Conduct (*hereinafter referred to as the "Code"*):

CANON 1

A JUDGE SHALL 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 Arkansas 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 3

A JUDGE SHALL CONDUCT THE JUDGE'S PERSONAL AND EXTRAJUDICIAL ACTIVITIES TO MINIMIZE THE RISK OF CONFLICT WITH THE OBLIGATIONS OF JUDICIAL OFFICE.

Rule 3.1 Extrajudicial Activities in General

A judge may engage in extrajudicial activities, except as prohibited by law or this Code. However, when engaging extrajudicial activities, a judge shall not:

- (A) Participate in activities that will interfere with the proper performance of the judge's judicial duties.

CONCLUSION:

You agree that an *admonishment* is the appropriate sanction for your actions in JDDC Case #17-109 and #17-112. Your willingness to accept that your actions were in violation of the Code and your commitment to be more aware of these issues in the future, have led the JDDC to refrain from recommending a more serious sanction, public charges or a public disciplinary hearing in these cases. An admonishment is a more corrective sanction than an informal adjustment but falls short of conduct requiring formal discipline. It is an expression of disapproval of a judge's conduct, and may contain a proscription to follow a corrective course of conduct, and may direct professional treatment, counseling or assistance.

Public confidence in the judiciary is eroded by improper conduct committed by a judge whether the conduct is professional or personal in nature. Committing a violation of the law, however slight, is an example of improper conduct for a judge and impugns the integrity of the judiciary. However, in this circumstance, the JDDC considered the nature of the underlying offense, as well as your admission of guilt and the conditions of your negotiated criminal plea. Your willingness to continue with all obligations of JLAP; your willingness to refrain from hearing DWI cases through December 31, 2017; and your willingness to accept the conditions of your criminal plea,

along with your promise to avoid such behavior in the future, resolved this matter without further proceedings.

If you have additional alleged violations of the Code, the JDDC may initiate a new investigation under the Rules of Procedure of the Judicial Discipline & Disability Commission and this case may be considered.

In view of these circumstances, it is the judgment of the JDDC that you are hereby admonished, for your conduct at issue in #17-109 and #17-112. This public sanction terminates the disciplinary proceedings relating to this circumstance and constitutes adequate discipline for your conduct. No further action is warranted.

This Commission action is public information.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Sachar". The signature is stylized and cursive.

David J. Sachar
Executive Director

cc: Jeff Rosenzweig