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## THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street  
Suite 600  
Nashville, TN 37219

May 16, 2014

Michael W. Catalano, Clerk  
100 Supreme Court Building  
401 Seventh Avenue, North  
Nashville, TN 37219-1407  
615-253-1470

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### FOR PUBLIC RELEASE

The Honorable Carol L. Soloman  
Circuit Court Judge, Division VIII  
20<sup>th</sup> Judicial District  
604 Metro Courthouse  
Nashville, Tennessee 37201

RE: Complaints in the Tennessee Court of the Judiciary—  
now the Board of Judicial Conduct  
Case No. 11-4602  
Case No. 10-4336  
Case No. 11-4589

This letter shall serve as a Public Letter of Reprimand pursuant to your agreement with an investigative panel of the Board of Judicial Conduct.

#### Complaint No. 11-4602

In 2010 Judge Soloman permitted the appearance of an attorney in her court as counsel for one of the parties. That attorney had been Judge Soloman's campaign treasurer and had previously acted as her attorney. Judge Soloman disclosed to the parties that the attorney previously represented her, but did not disclose that he was her campaign treasurer. When asked to recuse, Judge Soloman indicated that she had spoken with then Court of the Judiciary Presiding Judge Don Ash, but Judge Soloman did not inform Judge Ash that the attorney was her campaign treasurer. In addition, in Davidson County there was in existence an Order entered in 2003 by Judge Soloman requiring that the Davidson County Circuit Court Clerk assign this attorney's domestic relations cases to another Davidson County Circuit Judge. While this Order by its terms and scope did not control the subject case, being heard by Judge Soloman

by designation, the existence of this Order was not disclosed by Judge Soloman, despite its remaining in effect at the time the recusal motion was entered.

The conduct violated Canon 1 regarding maintaining a high standard of judicial conduct so that the integrity and the independence of the judiciary will be preserved and Canons 2 and 2A regarding avoiding the appearance of impropriety, complying with the law and acting at all times in a manner that promotes the confidence, integrity and impartiality of the judiciary (as those Canons were in effect at the time of these acts).

#### **Complaint No. 10-4336**

During hearings in this case in 2008 and 2009, the following occurred:

Judge Soloman assumed that a litigant could obtain a job in the pharmaceutical industry, her former employment, without evidence supporting this conclusion. The Court stated "That's where it is right now, that's where the economy hasn't touched it. So what's the problem?" Further buttressing her assumption, she had a colloquy with adversary counsel concerning another case involving diabetes medications, seeming to rely upon independent "knowledge" to support her judicial opinions. The Court of Appeals subsequently determined that there was no finding of voluntary underemployment by the subject litigant. In an earlier hearing Judge Soloman stated, "But not when she is sitting on her tail not doing anything," and also stated, "There is no valid argument. She ought to be working. She can't sit around and eat Bon-Bons." Judge Soloman addressed the litigant during her testimony, "When she (referring to adversary counsel) starts talking, I'm going to tell you again, shut up." She also told the complainant "Shut up and stop interrupting."

This conduct violated Canon 1, regarding maintaining high standards of judicial conduct, Canon 2A, requiring that a judge act at all times in a manner that promotes public confidence in the integrity and impartiality of judiciary and Canon 3 B requiring that a judge be patient, dignified and courteous to litigants (as those Canons were in effect in 2008 and 2009 at the time of these acts).

#### **Complaint No. 11-4589**

In this matter, by way of illustration and not limitation, Judge Soloman, during a hearing in June, 2010, stated, *inter alia*, the following:

"...I think both these people are crazy and I don't believe your client (referring to a litigant). I want you to frigging answer me..." During the same hearing, the Judge noted "I've already made-I made my decision when I read the motion and the response. I thought that (the litigant) sounded like she really needed some psychiatric help. I'm very, very, very concerned."

In fact, in addressing an extraordinary appeal later in 2010 in the case, the Court of Appeals commented “We are troubled by the informality of the proceedings before the trial court, the limited proof allowed, and the interruption of the mother’s testimony.”

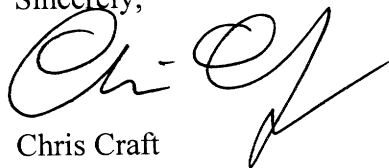
This conduct violated the same Canons set forth with respect to prior Case No. 10-4336.

Judge Soloman has been admonished by the appellate court regarding intemperate comments from the bench in two (2) other cases.

Your conduct in all of the matters described herein violated the provisions of Tennessee Code Annotated Section 17-5-301(g)(5) in that such conduct is improper or brings discredit upon the judiciary or the administration of justice.

Accordingly this letter constitutes a Public Reprimand for your actions in the above cases.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Craft", with a long, sweeping flourish extending to the right.

Chris Craft  
Board Chair

CC/bep