



**THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

511 Union Street
Suite 600
Nashville, TN 37219

**MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

Chris Craft
Chairperson

Timothy R. Discenza
Disciplinary Counsel

Patrick J. McHale
Assistant Disciplinary Counsel

Kenny Armstrong
Miles Burdine
Angelita B. Dalton
Joe F. Fowlkes
Tas Gardner
Dee Gay
J. Ronald Hickman
Chris A. Hodges
Thomas W. Lawless
Christy R. Little
Larry J. Logan
Norma Ogle
Ward Phillips
J. Michael Sharp
Dwight E. Stokes

January 18, 2017

James M. Hivner, Clerk
100 Supreme Court Building
401 Seventh Avenue, North
Nashville, TN 37219-1407
615-253-1470

Russell Humphrey
Chief Clerk of the Senate
Office of the Chief Clerk
State Capitol, 2nd Floor
Nashville, TN 37243

Joe McCord
Chief Clerk of the House
Office of the Chief Clerk
State Capitol, 2nd Floor
Nashville, TN 37243

Dear Chief Clerks:

Please find enclosed the Quarterly Report for the first quarter of this fiscal year, as mandated by Tenn. Code Ann. § 17-5-207(b).

Sincerely,

CHRIS CRAFT
Board Chair

CC/bep

Adm2017-00010
FILED
 JAN. 23 2017
 Clerk of the Courts
 Rec'd By _____

BOARD OF JUDICIAL CONDUCT
FISCAL YEAR 2016-2017 FIRST QUARTERLY REPORT
 (For the period 7/1/16 through 9/30/16)
 Due 1/20/17

The number of complaints OPENED¹ this quarter is 96. Year to date the number is 96.

The number of complaints CLOSED this quarter is 89. Year to date the number is 89.

The DISPOSITION of the complaints closed this quarter is:

		YTD (Year to Date)
Dismissed, complaint about court ruling----	60	60
Dismissed, no jurisdiction -----	3	3
Dismissed, inadequate factual basis -----	23	23
Dismissal with warning -----	3	3
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	0	0
TOTAL	89	89

The number of complaints PENDING on the last day of this quarter is 60.

The number of complaints for which PROBABLE CAUSE WAS FOUND² this quarter is 4.
 The number year to date is 4.

The number of complaints for which FORMAL CHARGES WERE FILED this quarter is 0.
 The number year to date is 0.

1. A single complaint naming several judges is counted as a separate complaint against each judge. A complaint whose allegations encompass more than one category is listed under the most serious category alleged.
 2. "Probable cause was found" means that Disciplinary Counsel and the investigative panel believe that there is evidence supporting the allegations against a judge and the investigative panel has authorized a full investigation pursuant to Tenn. Code Ann. §17-5-304 (c)(3).

The NATURE of the complaints filed and the TYPE OF JUDGE according to the following categories is:

A) Failure to comply with the law:		<u>YTD</u>
Criminal -----	20	20
Circuit -----	13	13
Chancery -----	10	10
General Sessions -----	20	20
Juvenile -----	0	0
Magistrate and Referee-----	1	1
Municipal -----	1	1
Commissioner -----	1	1
Probate -----	1	1
Appellate Court -----	3	3
Senior and Retired -----	1	1
Other -----	<u>1</u>	<u>1</u> (Non-judge, deceased judge, judge from another state, etc.)
TOTAL	72	72

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	1	1
Circuit -----	1	1
Chancery -----	1	1
General Sessions -----	1	1
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	4	4

C) Discourtesy:		<u>YTD</u>
Criminal -----	2	2
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	3	3

D) Abuse of office:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	4	4
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	<u>4</u>	<u>4</u>

E) Delay:		<u>YTD</u>
Criminal -----	2	2
Circuit -----	3	3
Chancery -----	2	2
General Sessions -----	0	0
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	1	1
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	<u>8</u>	<u>8</u>

F) Ex parte communications:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	0
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	<u>0</u>	<u>0</u>

G) Disability:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	0
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	0	0

H) Political violation:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	0
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	0	0

I) Recusal:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	1	1
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	1	1
Senior and Retired -----	1	1
Other -----	0	0
TOTAL	4	4

J) Miscellaneous:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	0
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>1</u>	<u>1</u>
TOTAL	1	1

Member Voting

	D	FI	D	FI
	YTD			
Hon. Norma Ogle	14	0	14	0
Edward G. Phillips	19	1	19	1
Judge Kenny Armstrong	18	3	18	3
Miles Burdine	16	0	16	0
Judge Angelita Dalton	15	0	15	0
Judge Joe Fowlkes	10	0	10	0
Robert Gardner	18	2	18	2
Ronald Hickman	16	1	16	1
Chris Hodges	16	2	16	2
Thomas Lawless	6	0	6	0
Judge Christy Little	22	1	22	1
Judge Larry Logan	16	1	16	1
Judge Michael Sharp	14	0	14	0
Judge Dwight Stokes	16	1	16	1
Judge Dee Gay	15	0	15	0

D= Dismissals

FI= Full Investigations

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Craft". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

CHRIS CRAFT, Board Chair
BOARD OF JUDICIAL CONDUCT