ADM2015-01588



FILED

AUG 21 2015

Clerk of the Courts Rec'd By

James M. Hivner, Clerk

615-253-1470

100 Supreme Court Building

401 Seventh Avenue, North Nashville, TN 37219-1407

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

August 18, 2015

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Assistant Disciplinary Counsel

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J. Michael Sharp
Dwight E. Stokes

David Wedekind

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

Dear Chief Clerks:

Joe McCord Chief Clerk of the House Office of the Chief Clerk

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

Please find enclosed the statistical report of the Board of Judicial Conduct covering filings and dispositions for the month of July, 2015, as mandated by Tenn. Code Ann. § 17-5-207.

Sincerely,

CHRIS CRAFT Board Chair

CC/bep

BOARD OF JUDICIAL CONDUCT MONTHLY REPORT FOR JULY 2015

ADM 2015-01588

FILED

AUG 21 2015

Cierk of the Courts

Rec'd By

The number and category of complaints OPENED¹:

| MONTH YEAR A) Failure to comply with law: | L |
|--|---|
| B) Bias, prejudice and unfairness: 1 1 C) Discourtesy: 0 0 D) Abuse of office: 1 1 E) Delay: 2 2 | |
| C) Discourtesy: 0 0 D) Abuse of office: 1 1 E) Delay: 2 2 | |
| D) Abuse of office: 1 1 1 E) Delay: 2 2 | |
| E) Delay: 2 2 | |
| , · · · · | |
| E) Ev porto communications: | |
| F) Ex parte communications: 1 | |
| G) Disability: 0 0 | |
| H) Political violation: 0 0 | |
| I) Recusal: 4 4 | |
| J) Miscellaneous: <u>0</u> <u>0</u> | |
| TOTAL 41 41 | |

The number and category of complaints CLOSED:

| | <u>THIS</u> | THIS FISCAL |
|------------------------------------|--------------|-------------|
| <u>N</u> | <u>MONTH</u> | <u>YEAR</u> |
| A) Failure to comply with law: | 23 | 23 |
| B) Bias, prejudice and unfairness: | 3 | 3 |
| C) Discourtesy: | 0 | 0 |
| D) Abuse of office: | 0 | 0 |
| E) Delay: | 1 | 1 |
| F) Ex parte communications: | 1 | 1 |
| G) Disability: | 0 | 0 |
| H) Political violation: | 0 | 0 |
| I) Recusal: | 0 | 0 |
| J) Miscellaneous: | _0 | _0 |
| TOTAL | 28 | 28 |

^{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.

DISPOSITION of the complaints closed by CATEGORY:

| | THIS | THIS FISCAL |
|---|---------------|-------------|
| <u>M</u> | <u> 10NTH</u> | <u>YEAR</u> |
| A) Failure to comply with law: | | |
| Dismissed, complaint about court ruling | 23 | 23 |
| Dismissed, no jurisdiction | 0 | 0 |
| Dismissed, inadequate factual basis | 0 | 0 |
| Dismissal with warning | 0 | 0 |
| Dismissal after full investigation | · - 0 | 0 |
| Deferred discipline agreement | 0 | 0 |
| Private reprimand | | 0 |
| Private censure | • | 0 |
| Public reprimand | | 0 |
| Public censure | 0 | 0 |
| Other | 0 | 0 |
| Retired complaint, no longer a judge | 0 | 0 |
| Suspension | 0 | 0 |
| Recommendation of removal from office - | <u> </u> | _0 |
| TOTAL | 23 | 23 |

| | THIS MONTH | THIS FISCAL |
|---|---------------|-------------|
| B) Bias, prejudice and unfairness: | <u>MONTH</u> | <u>YEAR</u> |
| , , , , | | |
| Dismissed, complaint about court ruling | | 1 |
| Dismissed, no jurisdiction | 0 | 0 |
| Dismissed, inadequate factual basis | 2 | 2 |
| Dismissal with warning | 0 | 0 |
| 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 |
| Suspension | 0 | 0 |
| Recommendation of removal from office | e <u>0</u> | _0 |
| TOTAL | 3 | 3 |
| | | |

| | <u>THIS</u> | THIS FISCAL |
|--|--------------|-------------|
| <u> </u> | <u>MONTH</u> | <u>YEAR</u> |
| C) Discourtesy: | | |
| Dismissed, complaint about court ruling- | 0 | 0 |
| Dismissed, no jurisdiction | 0 | 0 |
| Dismissed, inadequate factual basis | 0 | 0 |
| Dismissal with warning | 0 | 0 |
| 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 |
| Suspension | 0 | 0 |
| Recommendation of removal from office | 0 | _0 |
| TOTAL | 0 | 0 |

| | <u>HIS</u> NTH | THIS FISCAL YEAR | |
|---|-------------------|---------------------|--|
| D) Abuse of office: | | | |
| Dismissed, complaint about court ruling | 0 | 0 | |
| Dismissed, no jurisdiction | 0 | 0 | |
| Dismissed, inadequate factual basis | 0 | 0 | |
| Dismissal with warning | 0 | 0 | |
| 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 | |
| Suspension | 0 | 0 | |
| Recommendation of removal from office | 0 | 0 | |
| TOTAL | 0 | $\overline{0}$ | |

| <u>T</u> | <u>HIS</u> | THIS FISCAL |
|---|------------|-------------|
| <u>MC</u> | <u>NTH</u> | <u>YEAR</u> |
| E) Delay: | | |
| Dismissed, complaint about court ruling | 0 | 0 |
| Dismissed, no jurisdiction | 0 | 0 |
| Dismissed, inadequate factual basis | 1 | 1 |
| Dismissal with warning | 0 | 0 |
| 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 |
| Suspension | 0 | 0 |
| Recommendation of removal from office | 0 | 0 |
| TOTAL | 1 | 1 |

| $\underline{\mathbf{T}}$ | <u>HIS</u> | THIS FISCAL |
|---|------------|-------------|
| <u>MO</u> | <u>NTH</u> | <u>YEAR</u> |
| F) Ex parte communications: | | |
| Dismissed, complaint about court ruling | 0 | 0 |
| Dismissed, no jurisdiction | 0 | 0 |
| Dismissed, inadequate factual basis | 1 | 1 |
| Dismissal with warning | 0 | 0 |
| 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 |
| Suspension | 0 | 0 |
| Recommendation of removal from office | 0 | _0 |
| TOTAL | 1 | 1 |

| <u>T</u> | <u>HIS</u> | THIS FISCAL |
|---|------------|-------------|
| MC | <u>NTH</u> | <u>YEAR</u> |
| G) Disability: | | |
| Dismissed, complaint about court ruling | 0 | 0 |
| Dismissed, no jurisdiction | 0 | 0 |
| Dismissed, inadequate factual basis | 0 | 0 |
| Dismissal with warning | 0 | 0 |
| 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 |
| Suspension | 0 | 0 |
| Recommendation of removal from office | 0 | _0 |
| TOTAL | 0 | 0 |

| <u>T</u> | <u>HIS</u> | THIS FISCAL |
|---|------------|-------------|
| <u>M0</u> | <u>NTH</u> | YEAR |
| H) Political violation: | | |
| Dismissed, complaint about court ruling | 0 | 0 |
| Dismissed, no jurisdiction | 0 | 0 |
| Dismissed, inadequate factual basis | 0 | 0 |
| Dismissal with warning | 0 | 0 |
| 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 |
| Suspension | 0 | 0 |
| Recommendation of removal from office | 0 | _0 |
| TOTAL | 0 | 0 |

| <u>,</u> | <u>THIS</u> | THIS FISCAL |
|---|-------------|-------------|
| <u>M</u> | <u>ONTH</u> | <u>YEAR</u> |
| I) Recusal: | | |
| Dismissed, complaint about court ruling | - 0 | 0 |
| Dismissed, no jurisdiction | - 0 | 0 |
| Dismissed, inadequate factual basis | - 0 | 0 |
| Dismissal with warning | - 0 | 0 |
| Dismissal after full investigation | . 0 | 0 |
| Deferred discipline agreement | . 0 | 0 |
| Private reprimand | | 0 |
| Private censure | . 0 | 0 |
| Public reprimand | - 0 | 0 |
| Public censure | - 0 | 0 |
| Other | - 0 | 0 |
| Retired complaint, no longer a judge | - 0 | 0 |
| Suspension | - 0 | 0 |
| Recommendation of removal from office | _0 | _0 |
| TOTAL | 0 | 0 |

| | <u>THIS</u> | THIS FISCAL |
|--|--------------|-------------|
| | <u>MONTH</u> | <u>YEAR</u> |
| J) Miscellaneous: | | |
| Dismissed, complaint about court ruling- | 0 | 0 |
| Dismissed, no jurisdiction | 0 | 0 |
| Dismissed, inadequate factual basis | 0 | 0 |
| Dismissal with warning | 0 | 0 |
| 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 |
| Suspension | 0 | 0 |
| Recommendation of removal from office | e <u>0</u> | _0 |
| TOTAL | 0 | |