



James M. Hivner, Clerk

100 Supreme Court Building

401 Seventh Avenue, North

Nashville, TN 37219-1407

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## THE TENNESSEE BOARD OF JUDICIAL CONDUCT

August 17, 2016

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

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Ward Phillips J. Michael Sharp Dwight E. Stokes Russell Humphrey Chief Clerk of the Senate Office of the Chief Clerk State Capitol, 2<sup>nd</sup> Floor Nashville, TN 37243

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

Dear Chief Clerks:

Please find enclosed the statistical report of the Board of Judicial Conduct covering filings and dispositions for the month of July, 2016, as mandated by Tenn. Code Ann. § 17-5-207.

Sincerely

CHRIS CRAFT Board Chair

CC/bep

## ADM2016-00040

## BOARD OF JUDICIAL CONDUCT MONTHLY REPORT FOR JULY 2016

AUG **2 2** 2016

Clerk of the Courts Rec'd By \_\_\_\_

The number and category of complaints OPENED<sup>1</sup>:

	<u>THIS</u>	THIS FISCAL
	<b>MONTH</b>	<u>YEAR</u>
A) Failure to comply with law:	24	24
B) Bias, prejudice and unfairness:	- 1	1
C) Discourtesy:	- 3	3
D) Abuse of office:	- 3	3
E) Delay:	5	5
F) Ex parte communications:	- 0	0
G) Disability:	- 0	0
H) Political violation:	0	0
I) Recusal:	· <b>-</b> 0	0
J) Miscellaneous:	<u></u> <u>0</u>	<u>0</u>
TOTAL	36	36

The number and category of complaints CLOSED:

	<u>THIS</u>	THIS FISCAL
<u>N</u>	<u> 10NTH</u>	<u>YEAR</u>
A) Failure to comply with law:	26	26
B) Bias, prejudice and unfairness:	2	2
C) Discourtesy:	0	0
D) Abuse of office:	1	1
E) Delay:	6	6
F) Ex parte communications:	0	0
G) Disability:	0	0
H) Political violation:	0	0
I) Recusal:	1	1
J) Miscellaneous:	_0	_0
TOTAL	36	36

<sup>1.</sup> 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:

	<u>THIS</u> MONTH	THIS FISCAL YEAR
A) Failure to comply with law:		
Dismissed, complaint about court ruling	<sub>5</sub> 25	25
Dismissed, no jurisdiction	1	1
Dismissed, inadequate factual basis	0	0
Dismissal with warning	0	0
Dismissal after full investigation		0
Deferred discipline agreement		0
Private reprimand	0	0
Private censure	0	0
Public reprimand	0	0
Public censure	0	0
Other		0
Retired complaint, no longer a judge	0	0
Suspension	0	0
Recommendation of removal from office		_0
TOTAL	26	26
B) Bias, prejudice and unfairness:	<u>THIS</u> <u>MONTH</u>	THIS FISCAL YEAR
Dismissed, complaint about court ruling	<u>MONTH</u> g 0	
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH g 0	YEAR
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH g 0 2	YEAR  0 0 2
Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning	MONTH g 0 0 2 0	<u>YEAR</u> 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 2 0 0	YEAR  0 0 2
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH g 0 2 0 0 0	YEAR  0 0 2 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 2 0 0 0 0	YEAR  0 0 2 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 0 0 0 0 0 0	YEAR  0 0 2 0 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 0 0 0 0 0 0	YEAR  0 0 2 0 0 0 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 0 0 0 0 0 0 0	YEAR  0 0 2 0 0 0 0 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 0 0 0 0 0 0 0 0	YEAR  0 0 2 0 0 0 0 0 0 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 0 0 0 0 0 0 0 0 0	YEAR  0 0 2 0 0 0 0 0 0 0 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 0 0 0 0 0 0 0 0 0	YEAR  0 0 0 2 0 0 0 0 0 0 0 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  g 0 0 0 0 0 0 0 0 0 0	YEAR  0 0 0 2 0 0 0 0 0 0 0 0 0 0 0 0 0

<u>T</u>	<u>HIS</u>	THIS FISCAL
<u>MC</u>	<u>NTH</u>	YEAR
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

$\frac{\mathbf{I}}{\mathbf{M}}$	HIS	THIS FISCAL
D) Abuse of office:	<u> </u>	<u>YEAR</u>
Dismissed, complaint about court ruling	0	0
Dismissed, no jurisdiction		1
Dismissed, inadequate factual basis	0	0
Dismissal with warning		0
Dismissal after full investigation	0	0
1 0	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>THIS</u>	THIS FISCAL
	<b>MONTH</b>	YEAR
E) Delay:		
Dismissed, complaint about court rulin	ng 0	0
Dismissed, no jurisdiction	0	0
Dismissed, inadequate factual basis	6	6
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	ce0	0
TOTAL	<del></del> 6	<del>-</del> 6

THIS	THIS FISCAL
MONTH	YEAR
F) Ex parte communications:	<u> </u>
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
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>NTH</u>	<b>YEAR</b>
H) Political violation:		
Dismissed, complaint about court ruling		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>M</u> 0	<u>HTNC</u>	YEAR
I) Recusal:		
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
Recommendation of removal from office	0	0
TOTAL	1	1

<u>T</u>	<u>HIS</u>	THIS FISCAL
<u>MC</u>	<u>NTH</u>	YEAR
J) Miscellaneous:		
Dismissed, complaint about court ruling		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
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	0	_0
TOTAL	0	0