

## FILED

MAY 2 2 2017

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

## THE TENNESSEE ADM2017-00010 BOARD OF JUDICIAL CONDUCT

May 17, 2017

511 Union Street Suite 600 Nashville, TN 37219

MEMBERS OF THE TENNESSEE BOARD OF JUDICIAL CONDUCT

Chris Craft Chairperson

Timothy R. Discenza Disciplinary Counsel

Kenny Armstrong

Patrick J. McHale Assistant Disciplinary Counsel

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

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

Dear Chief Clerks:

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

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

Please find enclosed the statistical report of the Board of Judicial Conduct covering filings and dispositions for the month of April, 2017, as mandated by Tenn. Code Ann. § 17-5-207.

Sincerely,

CHRIS CRAFT
Board Chair

CC/bep

## BOARD OF JUDICIAL CONDUCT MONTHLY REPORT FOR APRIL 2017

FILED

MAY 2 2 2017

Clerk of the Courts Rec'd By

ADM 2017-00010

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

	<b>THIS</b>	THIS FISCAL
$\underline{\mathbf{N}}$	<u> 10NTH</u>	<u>YEAR</u>
A) Failure to comply with law:	23	269
B) Bias, prejudice and unfairness:	2	10
C) Discourtesy:	1	11
D) Abuse of office:	0	4
E) Delay:	2	23
F) Ex parte communications:	0	1
G) Disability:	0	4
H) Political violation:	0	1
I) Recusal:	2	16
J) Miscellaneous:	<u>0</u>	<u>1</u>
TOTAL	30	340

The number and category of complaints CLOSED:

N	<u>THIS</u> IONTH	THIS FISCAL YEAR
A) Failure to comply with law:	41	286
B) Bias, prejudice and unfairness:	4	15
C) Discourtesy:	0	12
D) Abuse of office:	0	8
E) Delay:	0	26
F) Ex parte communications:	0	2
G) Disability:	0	5
H) Political violation:	0	1
I) Recusal:	1	18
J) Miscellaneous:	_0	_1
TOTAL	46	374

<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:

TH MON		<u>AL</u>
A) Failure to comply with law:		
Dismissed, complaint about court ruling 3:	5 250	
Dismissed, no jurisdiction		
Dismissed, inadequate factual basis (		
Dismissal with warning (		
Dismissal after full investigation (	0	
Deferred discipline agreement		
Private reprimand (		
Private censure (	0	
Public reprimand (	0	
Public censure (	0	
Other (		
Retired complaint, no longer a judge	1	
Suspension (	0	
Recommendation of removal from office (		
TOTAL $\frac{1}{4}$	206	
TH  MON  B) Bias, prejudice and unfairness:  Dismissed complaint about court ruling	YEAR YEAR	<u>AL</u>
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling	YEAR 0 0	<u>AL</u>
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling (Dismissed, no jurisdiction	<u>YEAR</u> 0 0 0	AL
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis	VITH         YEAR           0         0           0         0           15         15	AL
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling (Dismissed, no jurisdiction (Dismissed, inadequate factual basis (Dismissal with warning (Dismissal with warning (Dismissal with warning	VITH         YEAR           0         0           0         0           1         15           0         0	AL
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling (Dismissed, no jurisdiction (Dismissed, inadequate factual basis (Dismissal with warning (Dismissal after full investigation	VITH         YEAR           0         0           0         0           15         0           0         0	AL
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement	VITH         YEAR           0         0           0         0           15         0           0         0           0         0           0         0	AL
B) Bias, prejudice and unfairness: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand	VEAR           0         0           0         0           15         0           0         0           0         0           0         0           0         0           0         0	AL
B) Bias, prejudice and unfairness:  Dismissed, complaint about court ruling (Dismissed, no jurisdiction (Dismissed, inadequate factual basis (Dismissal with warning (Dismissal after full investigation	VITH         YEAR           0         0           0         0           15         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0	AL
B) Bias, prejudice and unfairness:  Dismissed, complaint about court ruling  Dismissed, no jurisdiction  Dismissed, inadequate factual basis  Dismissal with warning  Dismissal after full investigation  Private reprimand  Private censure	VEAR           O         O           O         O           D         O           D         O           O         O           O         O           O         O           O         O           O         O           O         O           O         O           O         O           O         O	AL
B) Bias, prejudice and unfairness:  Dismissed, complaint about court ruling (Dismissed, no jurisdiction (Dismissed, inadequate factual basis (Dismissal with warning (Dismissal after full investigation	VITH         YEAR           0         0           0         0           15         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0	AL
B) Bias, prejudice and unfairness:  Dismissed, complaint about court ruling (Dismissed, no jurisdiction (Dismissed, inadequate factual basis (Dismissal with warning (Dismissal after full investigation (Dismi	VITH         YEAR           0         0           0         0           15         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0	AL
B) Bias, prejudice and unfairness:  Dismissed, complaint about court ruling (Dismissed, no jurisdiction (Dismissed, inadequate factual basis (Dismissal with warning (Dismissal after full investigation (Dis	VITH         YEAR           0         0           0         0           15         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0	AL
B) Bias, prejudice and unfairness:  Dismissed, complaint about court ruling	NTH         YEAR           0         0           0         0           15         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0           0         0	AL

<u>T</u>	<u>HIS</u>	THIS FISCAL
<u>MC</u>	<u>NTH</u>	<u>YEAR</u>
C) Discourtesy:		
Dismissed, complaint about court ruling	0	0
Dismissed, no jurisdiction	0	0
Dismissed, inadequate factual basis	0	12
Dismissal with warning	0	0
Dismissal after full investigation	0	0
Deferred discipline agreement		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	12

MONTH         YEAR           D) Abuse of office:         0           Dismissed, complaint about court ruling 0         0           Dismissed, no jurisdiction 0         1           Dismissed, inadequate factual basis 0         1           Dismissal with warning 0         2           Dismissal after full investigation 0         0           Deferred discipline agreement 0         0           Private reprimand 0         0           Private censure 0         0           Public reprimand 0         0           Other 0         0           Retired complaint, no longer a judge 0         0           Suspension 0         0           Recommendation of removal from office 0         0		<b>THIS</b>	THIS FISCAL
Dismissed, complaint about court ruling       0         Dismissed, no jurisdiction       0         Dismissed, inadequate factual basis       0         Dismissal with warning       0         Dismissal after full investigation       0         Deferred discipline agreement       0         Private reprimand       0         Private censure       0         Public reprimand       0         Other	<u> 1</u>	MONTH	YEAR
Dismissed, no jurisdiction	D) Abuse of office:		
Dismissed, inadequate factual basis       0       1         Dismissal with warning       0       2         Dismissal after full investigation       0       0         Deferred discipline agreement       0       3         Private reprimand       0       0         Private censure       0       0         Public reprimand       0       0         Public censure       0       0         Other	Dismissed, complaint about court ruling-	0	0
Dismissal with warning       0       2         Dismissal after full investigation       0       0         Deferred discipline agreement       0       3         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	Dismissed, no jurisdiction	0	1
Dismissal after full investigation       0         Deferred discipline agreement       0         Private reprimand       0         Private censure       0         Public reprimand       0         Public censure       0         Other       0         Retired complaint, no longer a judge       0         Suspension       0	Dismissed, inadequate factual basis	0	1
Deferred discipline agreement       0       3         Private reprimand       0       0         Private censure       0       0         Public reprimand       0       1         Public censure       0       0         Other       0       0         Retired complaint, no longer a judge       0       0         Suspension       0       0	Dismissal with warning	0	2
Private reprimand       0         Private censure       0         Public reprimand       0         Public censure       0         Other       0         Retired complaint, no longer a judge       0         Suspension       0	Dismissal after full investigation	0	0
Private censure       0         Public reprimand       0         Public censure       0         Other       0         Retired complaint, no longer a judge       0         Suspension       0			3
Public reprimand       0       1         Public censure       0       0         Other       0       0         Retired complaint, no longer a judge       0       0         Suspension       0       0	Private reprimand	0	0
Public censure       0       0         Other       0       0         Retired complaint, no longer a judge       0       0         Suspension       0       0	Private censure	0	0
Other       0         Retired complaint, no longer a judge       0         Suspension       0	Public reprimand	0	1
Retired complaint, no longer a judge 0 0 Suspension 0 0	Public censure	0	0
Suspension 0 0	Other	0	0
	Retired complaint, no longer a judge	0	0
Recommendation of removal from office 0	Suspension	0	0
recommendation of removal from office === <u>o</u> <u>o</u>	Recommendation of removal from office	<u> </u>	<u>0</u>
TOTAL 0 8	TOTAL	0	8

	THIS MONTH	THIS FISCAL
E) Dalam	<u>MONTH</u>	<u>YEAR</u>
E) Delay:	~ 0	0
Dismissed, complaint about court rulin	-	0
Dismissed, no jurisdiction		0
Dismissed, inadequate factual basis		23
Dismissal with warning		1
Dismissal after full investigation		0
Deferred discipline agreement		0
Private reprimand		2
Private censure		0
Public reprimand		0
Public censure		0
Other		0
Retired complaint, no longer a judge		0
Suspension		0
Recommendation of removal from offi		_0
TOTAL	, 0	26
	THIS	THIS FISCAL
	<u>THIS</u> MONTH	THIS FISCAL YEAR
F) Ex parte communications:	THIS MONTH	THIS FISCAL YEAR
F) Ex parte communications: Dismissed, complaint about court rulin	MONTH	
Dismissed, complaint about court rulin	<u>MONTH</u>	YEAR
Dismissed, complaint about court rulin Dismissed, no jurisdiction	MONTH  ag 0 0	YEAR 0
Dismissed, complaint about court rulin Dismissed, no jurisdiction Dismissed, inadequate factual basis	MONTH  ag 0 0	<u>YEAR</u> 0 0
Dismissed, complaint about court rulin Dismissed, no jurisdiction	MONTH  ag 0 0 0	YEAR  0 0 1 0
Dismissed, complaint about court rulin Dismissed, no jurisdiction	MONTH  ag 0  0  0  0	YEAR  0 0 1 0 0
Dismissed, complaint about court rulin Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0	YEAR  0 0 1 0 0 0 0 0 0 0
Dismissed, complaint about court rulin Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0 0	YEAR  0 0 1 0 0 1 0 0 1 1 1 1 1 1 1 1 1 1 1
Dismissed, complaint about court rulin Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0 0	YEAR  0 0 1 0 0 1 0 0 1 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0 0 0	YEAR  0 0 1 0 0 1 0 0 1 0 0 0 0 1
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0 0 0 0	YEAR  0 0 1 0 0 1 0 0 1 0 0 0 0 1 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0 0 0 0 0	YEAR  0 0 1 0 0 1 0 0 1 0 0 0 0 0 0 0 0 0 0
Dismissed, complaint about court rulin Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0 0 0 0 0	YEAR  0 0 0 1 0 0 1 0 0 0 0 0 0 0 0 0 0 0 0
Dismissed, complaint about court ruling Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0 0 0 0 0 0 0	YEAR  0 0 0 1 0 0 1 0 0 0 0 0 0 0 0 0 0 0 0
Dismissed, complaint about court rulin Dismissed, no jurisdiction	MONTH  ag 0 0 0 0 0 0 0 0 0 0 0 0 0	YEAR  0 0 0 1 0 0 1 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>	<u>YEAR</u>
G) Disability:		
Dismissed, complaint about court ruling	0	0
Dismissed, no jurisdiction	0	0
Dismissed, inadequate factual basis	0	3
Dismissal with warning	0	0
Dismissal after full investigation	0	0
Deferred discipline agreement		1
Private reprimand	0	0
Private censure	0	0
Public reprimand	0	0
Public censure		0
Other	0	0
Retired complaint, no longer a judge	0	1
Suspension	0	0
Recommendation of removal from office	0	_0
TOTAL	0	5

$\underline{T}$	<u>HIS</u>	THIS FISCAL
MC	NTH	YEAR.
H) Political violation:		
Dismissed, complaint about court ruling	0	0
Dismissed, no jurisdiction	0	0
Dismissed, inadequate factual basis	0	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	0	1

$\underline{T}$	<u>HIS</u>	THIS FISCAL
<u>MC</u>	<u>NTH</u>	<u>YEAR</u>
I) Recusal:		
Dismissed, complaint about court ruling	1	1
Dismissed, no jurisdiction	0	0
Dismissed, inadequate factual basis	0	14
Dismissal with warning	0	3
Dismissal after full investigation	0	0
Deferred discipline agreement		0
Private reprimand		0
Private censure		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	18

<u>T1</u>	HIS THI	S FISCAL
<u>MO</u>	<u>NTH</u>	<u>YEAR</u>
J) Miscellaneous:		
Dismissed, complaint about court ruling	0	0
Dismissed, no jurisdiction	0	1
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	1