

6 MAR 1 9 2019 BV LM ADM 2019-00010

James M. Hivner, Clerk 100 Supreme Court Building

401 Seventh Avenue, North

Nashville, TN 37219-1407

615-253-1470

THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street Suite 600 Nashville, TN 37219

MEMBERS OF THE TENNESSEE BOARD OF JUDICIAL CONDUCT

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

Dear Chief Clerks:

Tammy Letzler Chief Clerk of the House 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 February, 2019, as mandated by Tenn. Code Ann. § 17-5-207.



DDG/sp Enclosure

BOARD OF JUDICIAL CONDUCT MONTHLY REPORT FOR FEBRUARY 2019

The number and category of complaints OPENED¹:

1	<u>THIS</u>	<u>THIS FISCAL</u>
M	<u>ONTH</u>	<u>YEAR</u>
A) Failure to comply with law:	20	206
B) Bias, prejudice and unfairness:	0	12
C) Discourtesy:	0	6
D) Abuse of office:	0	1
E) Delay:	0	11
F) Ex parte communications:	0	1
G) Disability:	0	0
H) Political violation:	0	0
I) Recusal:	0	14
J) Miscellaneous:	0	0
TOTAL	20	251

The number and category of complaints CLOSED:

	<u>THIS</u>	THIS FISCAL
	MONTH	YEAR
A) Failure to comply with law:	24	196
B) Bias, prejudice and unfairness:	- 1	13
C) Discourtesy:	- 2	6
D) Abuse of office:	0	1
E) Delay:	0	14
F) Ex parte communications:	• 0	1
G) Disability:	0	0
H) Political violation:	- 0	0
I) Recusal:	- 0	13
J) Miscellaneous:	0_	_0
TOTAL	27	244

FILED MAR 1 9 2019 Clerk of the Appellate Courts Rec'd By <u>LM</u> ADM2019-00010

^{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:

<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
A) Failure to comply with law	
Dismissed, complaint about court ruling 22	181
Dismissed, no jurisdiction 1	10
Dismissed, inadequate factual basis 0	0
Dismissal with warning 1	3
Dismissal after full investigation 0	0
Deferred discipline agreement 0	0
Private reprimand 0	1
Private censure 0	0
Public reprimand 0	0
Public censure 0	0
Other 0	1
Retired complaint, no longer a judge 0	0
Suspension 0	0
Recommendation of removal from office 0	0
TOTAL 24	196

<u>THIS</u> MONTH	<u>THIS FISCAL</u> <u>YEAR</u>
B) Bias, prejudice and unfairness:	
Dismissed, complaint about court ruling 0	1 .
Dismissed, no jurisdiction 0	0
Dismissed, inadequate factual basis 1	11
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 1	1
Public censure 0	0
Other 0	0
Retired complaint, no longer a judge 0	0
Suspension 0	0
Recommendation of removal from office0	_0
TOTAL 1	13

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C) Discourtesy:	
Dismissed, complaint about court ruling 0	0
Dismissed, no jurisdiction 0	0
Dismissed, inadequate factual basis 2	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 office0	_0
TOTAL 2	6

<u>THIS</u>
MONTH

<u>THIS FISCAL</u>
YEAR

<u>IV</u>		<u>1CAR</u>
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
Dismissal after full investigation	- 0	0
Deferred discipline agreement		0
Private reprimand		1
Private censure	- O	0
Public reprimand	- 0	0
Public censure		0
Other	0	0
Retired complaint, no longer a judge	0	0
Suspension		0
Recommendation of removal from office -		0
TOTAL	ō	ī

<u>THIS</u> <u>MONTH</u> E) Delay:	<u>THIS FISCAL</u> <u>YEAR</u>
Dismissed, complaint about court ruling 0	0
Dismissed, no jurisdiction 0	Ō
Dismissed, inadequate factual basis 0	11
Dismissal with warning 0	0
Dismissal after full investigation 0	Õ
Deferred discipline agreement 0	Ō
Private reprimand 0	2
Private censure 0	0
Public reprimand 0	1
Public censure 0	Ŏ
Other 0	Ŏ
Retired complaint, no longer a judge 0	Ő
Suspension 0	Ō
Recommendation of removal from office 0	ŏ
TOTAL 0	14

<u>THIS</u> MONTH	<u>THIS FISCA</u> <u>YEAR</u>
F) Ex parte communications:	
Dismissed, complaint about court ruling 0	0
Dismissed, no jurisdiction0	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	Ó
Private censure 0	Ó
Public reprimand 0	Ō
Public censure 0	Ŏ
Other 0	ò
Retired complaint, no longer a judge 0	Ŏ
Suspension 0	Ŏ
Recommendation of removal from office 0	Ŏ
TOTAL 0	$\frac{1}{1}$

THIS FISCAL

<u>THIS</u> <u>MONT</u> G) Disability:	<u>S THIS FISCAL</u> TH <u>YEAR</u>
Dismissed, complaint about court ruling 0	0
Dismissed, no jurisdiction 0	Ō
Dismissed, inadequate factual basis 0	Ō
Dismissal with warning 0	0
Dismissal after full investigation 0	Ó
Deferred discipline agreement 0	0
Private reprimand 0	0
Private censure 0	Ō
Public reprimand 0	Ō
Public censure 0	0
Other 0	0
Retired complaint, no longer a judge 0	0
Suspension 0	Ó
Recommendation of removal from office 0	Ō
TOTAL 0	0

<u>THIS</u>
MONTH

THIS FISCAL
<u>YEAR</u>

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H) Political violation:

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Dismissed, complaint about court ruling	0
Dismissed, no jurisdiction	U
Dismissed, inadequate factual basis	0
Dismissal with warning	0
Dismissal after full investigation	0
Deferred discipline agreement	0
Private reprimand	0
Private censure	
Public reprimand	0
Public censure	0
Other	0
Retired complaint, no longer a judge	0
Suspension	0
Recommendation of removal from office	
TOTAL	0

-	<u>THIS</u> ONTH	<u>THIS FISCAL</u> <u>YEAR</u>
I) Recusal:		
Dismissed, complaint about court ruling	- 0	0
Dismissed, no jurisdiction	• 0	0
Dismissed, inadequate factual basis	- 0	12
Dismissal with warning		1
Dismissal after full investigation		0
Deferred discipline agreement		0
Private reprimand	- 0	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
Recommendation of removal from office -	• <u> 0</u>	_0
TOTAL	0	13
:	<u>THIS</u>	THIS FISCAL
M	<u>THIS</u> ONTH	<u>THIS FISCAL</u> <u>YEAR</u>
J) Miscellaneous:	<u>ONTH</u>	
J) Miscellaneous: Dismissed, complaint about court ruling	<u>onth</u> - 0	
<u>M</u> J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction	<u>onth</u> - 0 - 0	YEAR
<u>M</u> J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis	<u>ONTH</u> - 0 - 0 - 0	YEAR 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning	<u>ONTH</u> - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation	<u>ONTH</u> - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure Public reprimand	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0 0 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private censure Private censure Public reprimand	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0 0 0 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure Public reprimand Public censure Other	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0 0 0 0 0 0 0 0 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure Public reprimand Public censure Other Retired complaint, no longer a judge	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure Public reprimand Other Retired complaint, no longer a judge Suspension	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0 0 0 0 0 0 0 0 0 0 0
M J) Miscellaneous: Dismissed, complaint about court ruling Dismissed, no jurisdiction Dismissed, inadequate factual basis Dismissal with warning Dismissal after full investigation Deferred discipline agreement Private reprimand Private censure Public reprimand Public censure Other Retired complaint, no longer a judge	ONTH - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0	<u>YEAR</u> 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0