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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Board Chair

Timothy R. Discenza
Disciplinary Counsel

Shane Hutton
Assistant Disciplinary Counsel

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Andrew G. Brigham
Robert Carter, Jr.
Paul B. Conley, III
Brooke Emery
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Tammy Harrington
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Benjamin Purser, Jr.
Jeff D. Rader
John Whitworth
Robert W. Wilkinson

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

April 18, 2019

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

Tammy Letzler
Chief Clerk of the House
Office of the Chief Clerk
State Capitol, 2nd 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 March, 2019, as mandated by Tenn. Code Ann. § 17-5-207.

Sincerely,

Dee Gay
Board Chair

DDG/sp
Enclosure

BOARD OF JUDICIAL CONDUCT
MONTHLY REPORT FOR MARCH 2019

The number and category of complaints OPENED[1]:

	THIS MONTH	THIS FISCAL YEAR
A) Failure to comply with law:	27	233
B) Bias, prejudice and unfairness:	0	12
C) Discourtesy:	1	7
D) Abuse of office:	1	2
E) Delay:	2	13
F) Ex parte communications:	0	1
G) Disability:	0	0
H) Political violation:	0	0
I) Recusal:	5	19
J) Miscellaneous:	0	0
TOTAL	36	287

The number and category of complaints CLOSED:

	THIS MONTH	THIS FISCAL YEAR
A) Failure to comply with law:	20	216
B) Bias, prejudice and unfairness:	0	13
C) Discourtesy:	0	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:	4	17
J) Miscellaneous:	0	0
TOTAL	24	268

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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 MONTH	THIS FISCAL YEAR
A) Failure to comply with law		
Dismissed, complaint about court ruling	19	200
Dismissed, no jurisdiction	1	11
Dismissed, inadequate factual basis	0	0
Dismissal with warning	0	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	20	216

	THIS MONTH	THIS FISCAL YEAR
B) Bias, prejudice and unfairness:		
Dismissed, complaint about court ruling	0	1
Dismissed, no jurisdiction	0	0
Dismissed, inadequate factual basis	0	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 office	0	0
TOTAL	0	13

	THIS MONTH	THIS FISCAL YEAR
C) Discourtesy:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -------------------	0	0
Dismissed, inadequate factual basis ---------	0	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 --	0	0
TOTAL	0	6

	THIS MONTH	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	1
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

	THIS MONTH	THIS FISCAL YEAR
E) Delay:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction --------------------	0	0
Dismissed, inadequate factual basis ---------	0	11
Dismissal with warning -----------------------	0	0
Dismissal after full investigation ------------	0	0
Deferred discipline agreement ---------------	0	0
Private reprimand -----------------------------	0	2
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
Recommendation of removal from office --	0	0
TOTAL	0	14

	THIS MONTH	THIS FISCAL YEAR
F) *Ex parte* communications:		
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

	THIS MONTH	THIS FISCAL YEAR
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

	THIS MONTH	THIS FISCAL 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

	THIS MONTH	THIS FISCAL YEAR
I) Recusal:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction --------------------	0	0
Dismissed, inadequate factual basis ---------	3	15
Dismissal with warning -----------------------	1	2
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	4	17

	THIS MONTH	THIS FISCAL YEAR
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 --	0	0
TOTAL	0	0