

THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street
Suite 600
Nashville, TN 37219

November 15, 2013

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100 Supreme Court Building
401 Seventh Avenue, North
Nashville, TN 37219-1407
615-253-1470

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

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

Dear Chief Clerks:

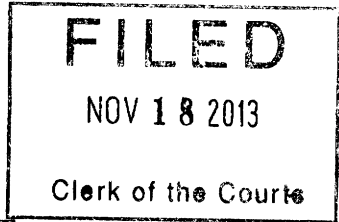
Please find enclosed the statistical report of the Board of Judicial Conduct covering filings and dispositions for the month of October, 2013, as mandated by Tenn. Code Ann. § 17-5-207.

Although the Quarterly Report for the first quarter (July, August and September, 2013) is not due until January 20, 2014, we have completed it early and have attached it as well.

Sincerely,

CHRIS CRAFT
Board Chair

CC/bep



BOARD OF JUDICIAL CONDUCT
FISCAL YEAR 2013-2014 FIRST QUARTERLY REPORT
(For the period 7/1/13 through 9/30/13)
Due 1/20/14

The number of complaints OPENED^1 this quarter is 121. Year to date the number is 121.

The number of complaints CLOSED this quarter is 120. Year to date the number is 120.

The DISPOSITION of the complaints closed this quarter is:

Table with 2 columns: Disposition Category and YTD (Year to Date). Rows include Dismissed, complaint about court ruling (74), Dismissed, no jurisdiction (2), Dismissed, inadequate factual basis (27), Dismissal with warning (3), 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 (14), Cease and Desist Order (0), Suspension (0), Recommendation of removal from office (0), and TOTAL (120).

The number of complaints PENDING on the last day of this quarter is 55.

The number of complaints for which PROBABLE CAUSE WAS FOUND^2 this quarter is 4. The number year to date is 4.

The number of complaints for which FORMAL CHARGES WERE FILED this quarter is 0. The number year to date is 0.

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.
2. "Probable cause was found" means that Disciplinary Counsel and the investigative panel believe that there is evidence supporting the allegations against a judge and the investigative panel has authorized a full investigation pursuant to Tenn. Code Ann. §17-5-304 (c)(3).

The NATURE of the complaints filed and the TYPE OF JUDGE according to the following categories is:

A) Failure to comply with the law:		<u>YTD</u>
Criminal -----	16	16
Circuit -----	20	20
Chancery -----	7	7
General Sessions -----	19	19
Juvenile -----	1	1
Magistrate and Referee-----	7	7
Municipal -----	4	4
Commissioner -----	1	1
Probate -----	0	0
Appellate Court -----	5	5
Senior and Retired -----	1	1
Other -----	<u>2</u>	<u>2</u> (Non-judge, deceased judge, judge from another
TOTAL	83	83 state, etc.)

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	1	1
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	2	2
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	3	3

C) Discourtesy:		<u>YTD</u>
Criminal -----	1	1
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	3	3
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	4	4

D) Abuse of office:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	0	0
Magistrate and Referee-----	4	4
Municipal -----	1	1
Commissioner -----	1	1
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	<u>7</u>	<u>7</u>

E) Delay:		<u>YTD</u>
Criminal -----	6	6
Circuit -----	4	4
Chancery -----	1	1
General Sessions -----	6	6
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	<u>17</u>	<u>17</u>

F) Ex parte communications:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	1	1
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	<u>2</u>	<u>2</u>

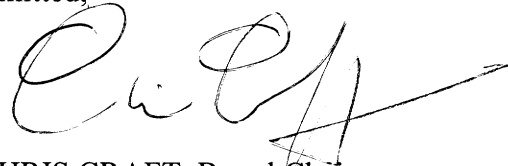
G) Disability:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	0
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	0	0

H) Political violation:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	1	1
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	2	2

I) Recusal:		<u>YTD</u>
Criminal -----	1	1
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	2	2

J) Miscellaneous:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	<u>1</u>	<u>1</u>

Respectfully submitted,



CHRIS CRAFT, Board Chair
BOARD OF JUDICIAL CONDUCT