

ADM 2016-00039

THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street
Suite 600
Nashville, TN 37219

January 4, 2016

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

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FOR PUBLIC RELEASE

The Honorable Ray Grimes
2 Millennium Plaza, Suite 203
Clarksville, Tennessee 37042

RE: Complaint of Benjamin Dean
File No. B15-6192

Dear Judge Grimes:

This shall serve as a letter of public reprimand pursuant to your agreement with the investigative panel of the Board.

This reprimand relates to the fact that you disposed of numerous cases which came before you as a General Sessions Judge of Montgomery County, Tennessee, in which criminal and juvenile defendants in the cases were represented by your spouse, who is an attorney practicing in Montgomery County, Tennessee.

The canons and rules violated by the above-described conduct are the following, as they were in effect beginning July 1, 2012.

CANON 2 — A JUDGE SHALL PERFORM THE DUTIES OF JUDICIAL OFFICE IMPARTIALLY, COMPETENTLY, AND DILIGENTLY.

Rule 2.11 Disqualification

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

(2) The judge knows that the judge, the judge's spouse or domestic partner, or a person within the third degree of relationship to either of them, or the spouse or domestic partner of such a person is:

(a) a party to the proceeding, or an officer, director, general partner, managing member, or trustee of a party;

(b) acting as a lawyer in the proceeding;

(c) a person who has more than a de minimis interest that could be substantially affected by the proceeding; or

(d) likely to be a material witness in the proceeding.

Upon receiving notice from Disciplinary Counsel you responded and have fully cooperated with the Board of Judicial Conduct. You indicated that you did not handle any cases in which your spouse represented parties in which a negotiated plea was not involved, or in which you made findings concerning contested facts. You have also stated that you now realize that the disqualification rules apply to any proceeding before you, and not just factually contested proceedings, which was your prior understanding.

In further mitigation of the conduct, you have agreed to the entry of a consent Cease and Desist Order in which you have agreed not to be involved as a Judge in any further cases in which your spouse represents a party.

Accordingly this letter constitutes a public reprimand for your actions as described herein.

Sincerely,

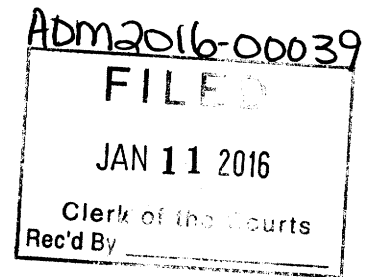

Chris Craft
Board Chair

IN THE TENNESSEE BOARD OF JUDICIAL CONDUCT

AGREED CEASE AND DESIST ORDER

IN RE: THE HONORABLE RAY GRIMES

File No. B15-6192



In accordance with the provisions of Tennessee Code Annotated § 17-5-301(f)(2) the Board of Judicial Conduct and The Honorable Ray Grimes, General Sessions Judge for the Montgomery County, Tennessee, have entered into an agreed upon Cease and Desist Order as follows:

IT IS HEREBY ORDERED that Judge Ray Grimes, General Sessions Judge for Montgomery County, Tennessee is to cease and desist as follows:

He shall not participate in any proceeding in which his spouse is acting as a lawyer, and shall disqualify himself from any such proceeding.


IN WITNESS WHEREOF, this order is hereby entered by the Board Chair of the Tennessee Board of Judicial Conduct by agreement.



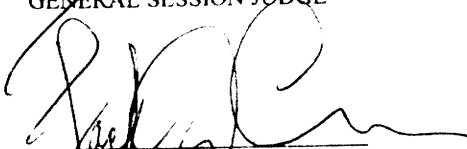
Chris Craft
Board Chair

THIS 29th day of December 2015

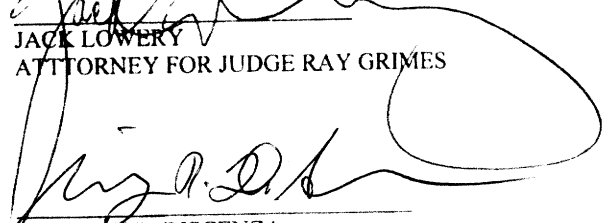
APPROVED FOR ENTRY:



RAY GRIMES
GENERAL SESSION JUDGE



JACK LOWERY
ATTORNEY FOR JUDGE RAY GRIMES



TIMOTHY R. DISCENZA
DISCIPLINARY COUNSEL