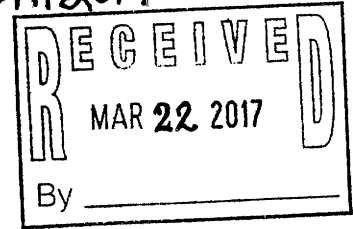




ADM 2017-00010



THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street
Suite 600
Nashville, TN 37219

MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT

March 17, 2017

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

Chris Craft
Chairperson

Timothy R. Discenza
Disciplinary Counsel

Patrick J. McHale
Assistant Disciplinary Counsel

Kenny Armstrong
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, 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 February, 2017, as mandated by Tenn. Code Ann. § 17-5-207(a).

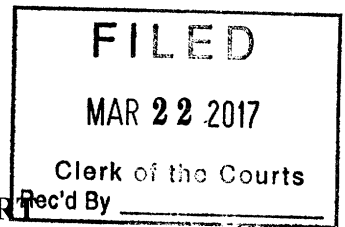
Please also find enclosed the Quarterly Report for the second quarter of this fiscal year, as mandated by Tenn. Code Ann. § 17-5-207(b).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Craft".

CHRIS CRAFT
Board Chair

CC/bep



BOARD OF JUDICIAL CONDUCT
FISCAL YEAR 2016-2017 SECOND QUARTERLY REPORT
(For the period 10/1/17 through 12/31/16)
Due 3/20/17

Adm 2017-00010

The number of complaints OPENED1 this quarter is 110. Year to date the number is 206.

The number of complaints CLOSED this quarter is 120. Year to date the number is 209.

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 (80/140), Dismissed, no jurisdiction (2/5), Dismissed, inadequate factual basis (28/51), Dismissal with warning (3/6), Dismissal after full investigation (0/0), Deferred discipline agreement (2/2), Private reprimand (3/3), Private censure (0/0), Public reprimand (1/1), Public censure (0/0), Other (1/1), Retired complaint, no longer a judge (0/0), Cease and Desist Order (0/0), Suspension (0/0), Recommendation of removal from office (0/0), and TOTAL (120/209).

The number of complaints PENDING on the last day of this quarter is 50.

The number of complaints for which PROBABLE CAUSE WAS FOUND2 this quarter is 3. The number year to date is 7.

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 -----	22	42
Circuit -----	27	40
Chancery -----	0	10
General Sessions -----	20	40
Juvenile -----	2	2
Magistrate and Referee-----	2	3
Municipal -----	3	4
Commissioner -----	3	4
Probate -----	1	2
Appellate Court -----	0	3
Senior and Retired -----	0	1
Other -----	0	1
TOTAL	80	152 (Non-judge, deceased judge, judge from another state, etc.)

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	1	2
Circuit -----	0	1
Chancery -----	0	1
General Sessions -----	1	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 -----	0	0
TOTAL	2	6

C) Discourtesy:		<u>YTD</u>
Criminal -----	0	2
Circuit -----	2	2
Chancery -----	0	0
General Sessions -----	4	5
Juvenile -----	0	0
Magistrate and Referee-----	1	1
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	7	10

D) Abuse of office:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	4
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	4

E) Delay:		<u>YTD</u>
Criminal -----	6	8
Circuit -----	2	5
Chancery -----	0	2
General Sessions -----	2	2
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	1
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	10	18

F) <i>Ex parte</i> communications:		<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

G) Disability:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	0	0
Magistrate and Referee----	1	1
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>

H) Political violation:		<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	<u>0</u>	<u>0</u>

I) Recusal:		<u>YTD</u>
Criminal -----	2	2
Circuit -----	2	3
Chancery -----	0	0
General Sessions -----	1	2
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	4	4
Probate -----	0	0
Appellate Court -----	0	1
Senior and Retired -----	0	1
Other -----	0	0
TOTAL	<u>9</u>	<u>13</u>

J) Miscellaneous:		<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 -----	<u>1</u>	<u>1</u>
TOTAL	1	1


Member Voting

	D	FI	YTD D	FI
Hon. Norma Ogle	15	0	29	0
Edward G. Phillips	29	1	48	2
Judge Kenny Armstrong	19	2	37	5
Miles Burdine	25	0	41	0
Judge Angelita Dalton	25	1	40	1
Judge Joe Fowlkes	11	0	21	0
Robert Gardner	21	1	39	3
Ronald Hickman	19	1	35	3
Chris Hodges	18	2	34	2
Thomas Lawless	4	0	10	0
Judge Christy Little	27	1	49	1
Judge Larry Logan	16	1	32	1
Judge Michael Sharp	20	0	34	0
Judge Dwight Stokes	16	1	32	2
Judge Dee Gay	25	1	40	1

D= Dismissals

FI= Full Investigations

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Craft", written in a cursive style. The signature is positioned above the printed name and title.

CHRIS CRAFT, Board Chair
BOARD OF JUDICIAL CONDUCT