

**BOARD OF JUDICIAL CONDUCT**  
**QUARTERLY REPORT**  
(For the period 7/1/2022 through 9/30/2022)

The number of complaints OPENED<sup>1</sup> this quarter is 104. Year to date the number is 337.

The number of complaints CLOSED this quarter is 128. Year to date the number is 349<sup>2</sup>.

The DISPOSITION of the complaints closed this quarter is:

	<u>YTD</u>	<u>FY</u> <u>2019-20</u>	<u>FY</u> <u>2020-21</u>	<u>FY</u> <u>2021-2022</u>
Dismissed, complaint about court ruling---- 56	176	204	176	199
Dismissed, no jurisdiction ----- 12	13	23	0	4
Dismissed, inadequate factual basis ----- 45	112	134	119	147
Dismissal with warning ----- 4	7	6	11	12
Dismissal after full investigation ----- 0	0	0	0	0
Deferred discipline agreement ----- 0	0	0	3	1
Private reprimand ----- 1	3	6	5	3
Public reprimand ----- 0	2	0	3	4
Other ----- 7	10	15	30	8
Retired complaint, no longer a judge ----- 0	0	0	0	2
Cease and Desist Order----- 0	0	0	0	0
Suspension ----- 3	4	0	0	2
Recommendation of removal from office -- 0	0	0	0	0
TOTAL	128	327	347	382

The number of complaints PENDING on the last day of this quarter is 27.

The number of complaints for which PROBABLE CAUSE WAS FOUND<sup>3</sup> this quarter is 2.  
The number year to date is 8.

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

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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. This Board came into existence on July 1, 2019. Therefore, there is no five-year statistical data to compare.

2.This category represents complaints that were closed after July 1, 2019, but were at various stages of investigation by the previous Board of Judicial Conduct.

3.“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. § 17-5-303 (c)(2).

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

<b>A) Failure to comply with the law:</b>	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal ----- 11	48	75	45	67
Circuit ----- 23	51	70	50	51
Chancery ----- 3	13	11	23	18
General Sessions ----- 15	55	57	48	78
Juvenile ----- 4	13	14	7	19
Magistrate and Referee----- 7	11	5	6	5
Municipal ----- 5	9	3	1	5
Commissioner ----- 0	9	3	2	10
Probate ----- 1	3	5	4	3
Appellate Court ----- 6	9	3	3	10
Senior and Retired ----- 1	2	5	7	8
Other(Non-judge, deceased, etc.)----- 0	0	8	10	2
<b>TOTAL</b>	<b>76</b>	<b>223</b>	<b>206</b>	<b>276</b>

<b>B) Bias, prejudice and unfairness:</b>	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal ----- 2	12	20	16	14
Circuit ----- 4	10	22	14	19
Chancery ----- 0	4	6	6	4
General Sessions ----- 1	5	17	10	19
Juvenile ----- 0	0	6	0	5
Magistrate and Referee----- 0	2	0	2	3
Municipal ----- 0	1	0	1	5
Commissioner ----- 0	1	0	1	0
Probate ----- 0	0	1	0	0
Appellate Court ----- 0	0	0	0	0
Senior and Retired ----- 0	0	1	1	1
Other ----- 0	2	9	2	0
<b>TOTAL</b>	<b>7</b>	<b>37</b>	<b>53</b>	<b>70</b>

<b>C) Discourtesy:</b>		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal -----	0	0	1	1	2
Circuit -----	2	2	2	2	4
Chancery -----	0	0	0	0	2
General Sessions -----	2	7	5	12	8
Juvenile -----	3	4	1	2	2
Magistrate and Referee-----	0	0	0	2	0
Municipal -----	0	0	0	0	0
Commissioner -----	0	0	0	0	2
Probate -----	0	0	0	0	0
Appellate Court -----	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0
Other -----	0	0	1	1	0
<b>TOTAL</b>	<b>7</b>	<b>13</b>	<b>10</b>	<b>20</b>	<b>20</b>

<b>D) Abuse of office:</b>		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal -----	0	1	1	1	2
Circuit -----	1	7	2	9	3
Chancery -----	0	0	0	1	0
General Sessions -----	0	9	2	10	2
Juvenile -----	0	0	0	0	0
Magistrate and Referee-----	0	0	1	0	0
Municipal -----	0	1	0	1	0
Commissioner -----	0	1	0	1	0
Probate -----	0	0	0	0	0
Appellate Court -----	0	0	0	0	0
Senior and Retired -----	0	1	0	1	0
Other -----	0	0	1	0	0
<b>TOTAL</b>	<b>1</b>	<b>20</b>	<b>7</b>	<b>24</b>	<b>7</b>

<b>E) Delay:</b>		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal -----	1	5	9	11	5
Circuit -----	3	4	3	2	2
Chancery -----	0	0	1	1	0
General Sessions -----	0	1	2	3	0
Juvenile -----	0	0	0	0	0
Magistrate and Referee-----	2	2	0	0	1
Municipal -----	0	0	0	0	0
Commissioner -----	0	0	0	0	0
Probate -----	0	0	0	0	1
Appellate Court -----	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0
Other -----	1	0	1	1	0
<b>TOTAL</b>	<b>6</b>	<b>12</b>	<b>17</b>	<b>18</b>	<b>9</b>

<b>F) Ex parte communications:</b>	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal ----- 0	1	0	4	2
Circuit ----- 0	0	0	0	1
Chancery ----- 0	2	0	2	3
General Sessions ----- 0	0	0	1	1
Juvenile ----- 0	0	1	0	0
Magistrate and Referee---- 0	0	0	2	0
Municipal ----- 0	0	0	0	0
Commissioner ----- 0	0	1	0	0
Probate ----- 0	0	0	0	0
Appellate Court ----- 0	0	0	0	0
Senior and Retired ----- 0	0	0	0	0
Other ----- 0	0	0	0	0
<b>TOTAL</b>	0	2	9	7

<b>G) Disability:</b>	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal ----- 0	0	0	0	0
Circuit ----- 0	0	0	0	0
Chancery ----- 0	0	2	2	0
General Sessions ----- 0	0	1	1	3
Juvenile ----- 0	0	0	0	0
Magistrate and Referee---- 0	0	0	0	0
Municipal ----- 0	0	0	0	0
Commissioner ----- 0	0	0	0	0
Probate ----- 0	0	0	0	0
Appellate Court ----- 0	0	0	0	0
Senior and Retired ----- 0	0	0	0	0
Other ----- 0	0	0	0	0
<b>TOTAL</b>	0	3	3	3

<b>H) Political violation:</b>	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal ----- 0	0	0	0	0
Circuit ----- 0	0	1	0	1
Chancery ----- 0	0	0	0	0
General Sessions ----- 0	0	0	1	1
Juvenile ----- 0	0	0	0	0
Magistrate and Referee---- 0	0	0	0	0
Municipal ----- 0	0	1	0	1
Commissioner ----- 0	0	0	0	0
Probate ----- 0	0	0	0	0
Appellate Court ----- 0	0	0	0	0
Senior and Retired ----- 0	0	0	0	0
Other ----- 0	1	1	1	11
<b>TOTAL</b>	0	3	2	14

<b>I) Recusal:</b>		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal -----	0	0	3	5	1
Circuit -----	0	4	3	0	3
Chancery -----	0	0	0	0	0
General Sessions -----	0	0	1	2	5
Juvenile -----	0	2	1	0	0
Magistrate and Referee-----	0	0	0	1	0
Municipal -----	1	0	0	0	0
Commissioner -----	0	0	0	0	0
Probate -----	0	0	0	0	0
Appellate Court -----	0	0	1	0	0
Senior and Retired -----	0	0	0	0	0
Other -----	0	<u>1</u>	<u>0</u>	<u>1</u>	<u>0</u>
<b>TOTAL</b>	<b>1</b>	<b>7</b>	<b>9</b>	<b>9</b>	<b>9</b>

<b>J) Miscellaneous:</b>		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>
Criminal -----	0	0	0	0	1
Circuit -----	0	1	1	1	0
Chancery -----	0	0	0	0	0
General Sessions -----	0	0	0	0	2
Juvenile -----	0	0	0	0	0
Magistrate and Referee-----	0	0	0	0	0
Municipal -----	0	0	0	0	0
Commissioner -----	0	0	0	0	0
Probate -----	0	0	0	0	0
Appellate Court -----	0	0	0	0	0
Senior and Retired -----	0	0	0	0	3
Other -----	0	<u>1</u>	<u>5</u>	<u>1</u>	<u>0</u>
<b>TOTAL</b>	<b>0</b>	<b>2</b>	<b>6</b>	<b>2</b>	<b>6</b>

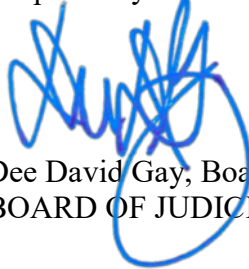
## Member Voting

	D	FI	D(YTD)	FI(YTD)
Hon. Jeffrey Atherton	22	1	76	1
Hon. H. Allen Bray	19	0	70	0
Hon. Andrew Brigham	29	1	50	3
Hon. Valerie Smith	19	0	70	0
Edwena Crowe	19	0	70	0
Rodney Brown	15	0	15	0
William Koch Jr	14	1	52	2
Hon. Camille McMullen	13	0	42	0
Bishop Edward Stephens	10	0	10	0
Benjamin Purser Jr	14	1	86	2
Hon. John Whitworth	13	0	42	0
Dan Springer	14	1	86	2
Terica Smith	13	0	42	0
Robert Wilkinson	23	1	77	1

D= Dismissals

FI= Full Investigations

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Dee David Gay', written over the printed name below.

Dee David Gay, Board Chair  
BOARD OF JUDICIAL CONDUCT