



ADM2017-00010

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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Chairperson

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September 13, 2017

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

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

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

Sincerely,

CHRIS CRAFT
Board Chair

CC/bep

ADM2017-00010

FILED

2017 SEP 18 PM 3:45

APPELLATE COURT CLERK
NASHVILLE

**BOARD OF JUDICIAL CONDUCT
MONTHLY REPORT FOR AUGUST 2017**

The number and category of complaints OPENED¹:

	<u>THIS MONTH</u>	<u>THIS FISCAL YEAR</u>
A) Failure to comply with law: -----	40	92
B) Bias, prejudice and unfairness: -----	1	4
C) Discourtesy: -----	1	2
D) Abuse of office: -----	0	1
E) Delay: -----	2	3
F) Ex parte communications: -----	0	1
G) Disability: -----	0	0
H) Political violation: -----	0	0
I) Recusal: -----	2	5
J) Miscellaneous: -----	<u>0</u>	<u>0</u>
TOTAL	46	108

The number and category of complaints CLOSED:

	<u>THIS MONTH</u>	<u>THIS FISCAL YEAR</u>
A) Failure to comply with law: -----	36	79
B) Bias, prejudice and unfairness: -----	0	1
C) Discourtesy: -----	2	2
D) Abuse of office: -----	0	0
E) Delay: -----	2	5
F) Ex parte communications: -----	0	1
G) Disability: -----	0	0
H) Political violation: -----	0	0
I) Recusal: -----	1	3
J) Miscellaneous: -----	<u>0</u>	<u>0</u>
TOTAL	41	91

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:

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
A) Failure to comply with law		
Dismissed, complaint about court ruling----	34	67
Dismissed, no jurisdiction -----	1	10
Dismissed, inadequate factual basis -----	1	1
Dismissal with warning -----	0	1
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 --	<u>0</u>	<u>0</u>
TOTAL	36	79

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
B) Bias, prejudice and unfairness:		
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 --	<u>0</u>	<u>0</u>
TOTAL	0	1

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
C) Discourtesy:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	2	2
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 --	<u>0</u>	<u>0</u>
TOTAL	2	2

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
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	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 ---	<u>0</u>	<u>0</u>
TOTAL	0	0

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
E) Delay:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	2	5
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 --	<u>0</u>	<u>0</u>
TOTAL	2	5

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
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 --	<u>0</u>	<u>0</u>
TOTAL	0	1

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
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 --	<u>0</u>	<u>0</u>
TOTAL	0	0

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
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 --	<u>0</u>	<u>0</u>
TOTAL	0	0

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
I) Recusal:		
Dismissed, complaint about court ruling----	0	1
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	1	2
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 --	<u>0</u>	<u>0</u>
TOTAL	1	3

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
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 --	<u>0</u>	<u>0</u>
TOTAL	0	0