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IN THE TENNESSEE COURT OF THE JUDICIAR

Clerk of the Courts

FILED

SEP 21 2009

## IN RE: THE HONORABLE GLORIA DUMAS, JUDGE, GENERAL SESSIONS COURT METROPOLITAN NASHVILLE and DAVIDSON COUNTY, TENNESSEE, Division IV

Docket No. M2009-01938-CJ-CJ-CJ

Complainant: JOSEPH S. DANIEL, in the exercise of his duties as Disciplinary Counsel, and at the direction of an Investigative Panel of the Tennessee Court of the Judiciary.

File No. 08-3487

## FIRST INTERROGATORIES TO GLORIA DUMAS

COMES NOW Joseph S. Daniel, Disciplinary Counsel for the Tennessee Court of the Judiciary, pursuant to Tennessee Rule of Civil Procedure 33, and propounds the following interrogatories to Honorable Gloria Dumas:

No. 1: State your full name, residence address, professional address, telephone numbers (home office and cellular), social security number, and date of birth.

**RESPONSE:** 

No. 2: State the date you were sworn into office as Judge of the General Sessions Court of Davidson County, Tennessee.

No. 3: State all email addresses you have used in your capacity as Judge of the General Sessions Court of Davidson County, Tennessee, and the dates each and every such email address had been used.

**RESPONSE:** 

No. 4: Describe in full any and all training, education, and seminars you have received or attended in Judicial Ethics, or involving Judicial Ethics including but not limited to dates, locations, hours completed, full subject matter, faculty members, and hours claimed, if any, toward any continuing education requirements to which you may be subject.

**RESPONSE:** 

No. 5: State the starting times of the dockets for any and all courts, including but not limited to civil, criminal, and environmental, presided over by you as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

No. 6: Describe any and all records, in any form, concerning court dockets and your attendance at court dockets you have maintained or which have been maintained by any person, firm, or entity, concerning your duties as Judge of the General Sessions Court of Davidson County, Tennessee, including but not limited to computer records, calendars, diaries, files, notes, schedules, memoranda, and for each such record identify its location or locations, since January 1, 2007.

**RESPONSE:** 

No. 7: State the name of your employer.

**RESPONSE:** 

No. 8: State the number of vacation days, personal days, holidays, sick days, leave days or any and all other absences provided to you or sanctioned for you in your capacity as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, and provide the person, firm, or entity responsible for providing granting, or authorizing those absences.

No. 9: State the location and custodian of any written, computer or data records of any nature regarding or concerning the days or absences described in either the preceding interrogatory or your response thereto.

**RESPONSE:** 

No. 10: Describe in detail the process by which you claim or avail yourself of any of the days or absences described in preceding interrogatory No. 8, including but not limited to, the written or computer record of such, the person, firm, or entity to which the information is provided or processed and the location of any such records of those days or absences.

No. 11: Describe any and all written documentation, in any form, to which you are subject concerning your duties as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, excluding Tennessee state statutes and Rules of Court, but including and not limited to local personnel standards, forms, personnel manuals or governance of any nature whatsoever.

**RESPONSE:** 

No. 12: State the number of days that you in your capacity as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, have been late in beginning court at the designated time, including but not limited to the time designated or stated on a warrant, citation, summons or any other document notifying a party or parties to appear in court.

No. 13: Describe any and all records, in any form, concerning the times of arrival and departure for your scheduled days of service as Judge of the General Sessions Court of Davidson County, Tennessee, including but not limited to computer records, calendars, diaries, files, notes, schedules, memoranda, and for each such record identify its location or locations, since January 1, 2007.

**RESPONSE:** 

No. 14: Describe any and all locations where you have parked your vehicle or a vehicle used by you to engage in service as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

No. 15: Describe in detail the process or processes by which you have engaged in the appointment or selection of substitute or special judges for any absences by you or any occasions for which you did not perform your service as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

**RESPONSE:** 

No. 16: State the number of times you have engaged in the appointment or selection of substitute or special judges for any absences by you from your service as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

No. 17: For each and every item named or described in the preceding Interrogatory No. 16, identify the following:

- (a) reason for your absence;
- (b) date of such absence;
- (c) identify of the special or substitute judge;

**RESPONSE:** 

No. 18: State for each such use of a special or substitute judge described in preceding interrogatories 15, 16, or 17 if you have complied with the provisions of TCA Section 16-15-209 (a)(1) which reads as follows:

(1) If a special judge is necessary in a county or district with more than one (1) general sessions or juvenile judge, the judge shall interchange within such judge's county, pursuant to  $\underline{\$ 17-2-208}$ . If a judge cannot serve by interchange, a judge may seek to find any current, former, or retired judge, who will, by mutual agreement, sit as special judge. Such designation shall be made by the chief justice of the supreme court.

No. 19: State for each such use of a special or substitute judge described in preceding interrogatories 15, 16, or 17 if you have complied with the provisions of TCA Section 16-15-209 (a)(3) which reads as follows:

(3) If the judge is unable to secure a judge under subdivision (a)(1) or (2), the judge may apply to the administrative office of the courts for assistance in finding a judge to sit by designation as special judge.

**RESPONSE:** 

No. 20: State for each such use of a special or substitute judge described in preceding interrogatories 15, 16, or 17 if you have complied with the provisions of TCA Section 16-15-209 (a)(4) which reads as follows:

(4) Only after exhausting the procedures set out in subdivisions (a)(1), (2) and (3), a judge may appoint a lawyer from a list, on a rotating basis, of lawyers that have been previously approved by the judge or judges of the district or county who are constitutionally qualified, in good standing, and possess sufficient experience and expertise. A lawyer appointed is subject to the following limitations:

**RESPONSE:** 

No. 21: State for each such use of a special or substitute judge described in preceding interrogatories 15, 16, or 17 if you have complied with the provisions of TCA Section 16-15-209 (d) which reads as follows:

A general sessions or juvenile judge may issue and may amend upon showing a change in circumstances, a standing order regarding compliance with subdivisions (a)(1)-(4). Such order may include a finding regarding whether a current, former or retired judge will sit by mutual agreement in accordance with subdivision (a)(2); whether the administrative office of the courts can comply with emergency requests for substitute judges in less than seventy-two (72) hours in accord with subdivision (a)(3) and, the list of lawyers to be contacted on a rotating basis under subdivision (a)(4).

**RESPONSE:** 

No. 22: Identify in detail any and all records, documents, computer documents or notes, schedules, calendars, Orders, memorandum, diaries, reports or writings of any nature maintained, generated, prepared, received by you, your staff or anyone to your knowledge concerning the appointment of substitute or special judges from any time since January 1, 2007 forward.

No. 23 Identify any list maintained by you or by the General Sessions Court or Court Clerk pursuant to TCA Section 16-15-209 or for any other reason which contains the names of any lawyers or persons used as special or substitute judges and for each such lawyer or person named identify their qualification, how they came to be placed on such list, who approved the placement, when any such list was completed, and where said list is maintained.

No. 24: Identify the location and custodian of any of the items described in the preceding interrogatory No. 22 or interrogatory No. 23.

**RESPONSE:** 

No. 25: State if you have been advised, requested, or notified in any fashion since January 1, 2007 to alter, modify or amend in any fashion your appointment methods, practices, or conduct in the appointment of special or substitute judges, and describe in detail the nature of any such advise request, or notification. Further describe in detail any action taken or initiated by you in response to such advise, request, or notification.

**RESPONSE:** 

No. 26: State if any special or substitute judge appointed to sit as General Sessions judge for you or on your behalf has also appeared before you representing parties of litigants since January 1, 2007, and for each, state the name of the attorney, number of times he or she has appeared in such capacity, the name of the case or case(s) and the results.

No. 27: State if any special or substitute judge appointed to sit as General Sessions judge for you or on your behalf since January 1, 2007 has received compensation or benefit in any manner and if so state the name of such person, the amount of compensation or benefit and the computation of how such computation or benefit is calculated or determined.

No. 28: State if you have drawn your regular salary, income, or compensation for each and every time a special or substitute judge has been appointed to sit as General Sessions judge for you or on your behalf since January 1, 2007.

**RESPONSE:** 

No. 29: State if any family member or relative has worked in your office or been employed by you or on your behalf at any time during your tenure as General Sessions Judge. If the answer is "yes," for each and every such instance, state:

- (a) the name or names of such person or persons;
- (b) the job or title of their work, position, or employment;
- (c) the duration of their work, position, or employment;
- (d) any written job description for their work, position, or employment;
- (e) the beginning salary;
- (f) the ending salary;
- (g) any written records of any nature pertaining to their work, position, or employment and the location and custodian of such records;
- (h) any job description, written or otherwise, for their work, position, or employment;
- (i) the process, in full, and the participants in their hiring or selection;

- (j) whether or not there were any other candidates or applicants for their work, position, or employment;
- (k) whether or not any other candidates, if any were interviewed or considered for such work, position, or employment;
- (1) whether or not their work, position, or employment was posted or advertised in any manner.

**RESPONSE:** 

GLORIA DUMAS

## OATH

After being duly sworn, the undersigned Gloria Dumas makes oath that her answers to the above are complete, true and accurate.

GLORIA DUMAS

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

My commission expires:

Notary Public

DISCIPLINARY COUNSEL WILL E-MAIL THIS DOCUMENT TO THE RESPONDENT UPON REQUEST IF IT WILL FACILITATE THE RESPONSE.

Dated: September 21, 2009

JOSEPH S. DANIEL #002799 DISCIPLINARY COUNSEL 503 North Maple Street Murfreesboro, TN 37130 Phone (615) 898-8004

## **CERTIFICATE OF SERVICE**

I, JOSEPH S. DANIEL, certify that a true and exact copy of the foregoing was served upon Honorable Gloria Dumas by depositing same in the U.S. Mail along with the Formal Charges with sufficient postage thereon to insure delivery.

This 2 day of September, 2009.

JOSEPH SIDANIEL