

**THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

511 Union Street
Suite 600
Nashville, TN 37219

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100 Supreme Court Building
401 Seventh Avenue, North
Nashville, TN 37219-1407
615-253-1470

**MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

March 18, 2016

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Chairperson

Timothy R. Discenza
Disciplinary Counsel

Patrick J. McHale
Assistant Disciplinary Counsel

Kenny Armstrong
Miles Burdine
Angelita B. Dalton
Joe F. Fowlkes
Tas Gardner

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J. Ronald Hickman
Chris A. Hodges
Thomas W. Lawless
Christy R. Little
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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

Joe McCord
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, 2016, 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,

CHRIS CRAFT
Board Chair

CC/bep

BOARD OF JUDICIAL CONDUCT
FISCAL YEAR 2015-2016 SECOND QUARTERLY REPORT
(For the period 10/1/15 through 12/31/15)
Due 3/20/16

FILED
MAR 24 2016
Clerk of the Courts Rec'd By _____

ADM2016-00040

The number of complaints OPENED¹ this quarter is 111. Year to date the number is 218.

The number of complaints CLOSED this quarter is 89. Year to date the number is 195.

The DISPOSITION of the complaints closed this quarter is:

		YTD (Year to Date)
Dismissed, complaint about court ruling----	56	128
Dismissed, no jurisdiction -----	5	6
Dismissed, inadequate factual basis -----	24	52
Dismissal with warning -----	2	2
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	1
Private reprimand -----	0	2
Private censure -----	0	0
Public reprimand -----	2	2
Public censure -----	0	0
Other -----	0	1
Retired complaint, no longer a judge -----	0	1
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	0	0
TOTAL	89	195

The number of complaints PENDING on the last day of this quarter is 75.

The number of complaints for which PROBABLE CAUSE WAS FOUND² this quarter is 5.
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 -----	28	51
Circuit -----	18	33
Chancery -----	7	13
General Sessions -----	23	39
Juvenile -----	0	0
Magistrate and Referee-----	2	5
Municipal -----	1	1
Commissioner -----	1	2
Probate -----	0	1
Appellate Court -----	2	10
Senior and Retired -----	1	1
Other -----	<u>2</u>	<u>2</u> (Non-judge, deceased judge, judge from another
TOTAL	85	158 state, etc.)

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	1	2
Circuit -----	3	4
Chancery -----	2	3
General Sessions -----	1	4
Juvenile -----	0	0
Magistrate and Referee-----	2	5
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	9	18

C) Discourtesy:		<u>YTD</u>
Criminal -----	1	2
Circuit -----	1	1
Chancery -----	0	1
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>0</u>	<u>0</u>
TOTAL	2	4

D) Abuse of office:		<u>YTD</u>
Criminal -----	0	1
Circuit -----	0	0
Chancery -----	1	1
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>0</u>	<u>0</u>
TOTAL	1	2

E) Delay:		<u>YTD</u>
Criminal -----	0	4
Circuit -----	2	4
Chancery -----	0	0
General Sessions -----	2	8
Juvenile -----	0	0
Magistrate and Referee----	1	1
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	1
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	5	18

F) Ex parte communications:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	1	1
Chancery -----	0	0
General Sessions -----	0	1
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	1	1
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	2	3

G) Disability:		<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

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 -----	1	1
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	1	1

I) Recusal:		<u>YTD</u>
Criminal -----	2	4
Circuit -----	1	5
Chancery -----	0	0
General Sessions -----	1	5
Juvenile -----	0	0
Magistrate and Referee----	0	1
Municipal -----	1	1
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	3
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	5	19

J) Miscellaneous:		<u>YTD</u>
Criminal -----	1	1
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>0</u>	<u>0</u>
TOTAL	1	1

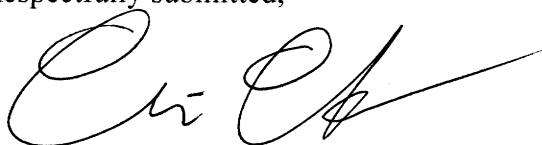
Member Voting

	D	FI	D	FI
	YTD			
Hon. Norma Ogle	14	0	27	0
Edward G. Phillips	13	1	25	2
Judge Kenny Armstrong	15	3	18	4
Miles Burdine	21	0	47	0
Judge Angelita Dalton	15	0	28	3
Judge Joe Fowlkes	12	1	29	4
Robert Gardner	18	1	36	4
Ronald Hickman	16	4	25	8
Chris Hodges	13	0	20	0
Thomas Lawless	12	0	28	0
Judge Christy Little	19	1	44	0
Judge Larry Logan	12	2	30	4
Judge Michael Sharp	16	0	32	0
Judge Dwight Stokes	16	3	24	4
Judge Dee Gay	13	3	24	3

D= Dismissals

FI= Full Investigations

Respectfully submitted,



CHRIS CRAFT, Board Chair
BOARD OF JUDICIAL CONDUCT