



**FILED**  
JAN 26 2018  
Clerk of the Appellate Courts  
Rec'd By \_\_\_\_\_  
ADM2018-00011

## THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street  
Suite 600  
Nashville, TN 37219

MEMBERS OF THE TENNESSEE  
BOARD OF JUDICIAL CONDUCT

January 17, 2018

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, 2<sup>nd</sup> Floor  
Nashville, TN 37243

Tammy Letzler  
Chief Clerk of the House  
Office of the Chief Clerk  
State Capitol, 2<sup>nd</sup> 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 December, 2017, as mandated by Tenn. Code Ann. § 17-5-207(a).

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

Sincerely,

CHRIS CRAFT  
Board Chair

CC/bep

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**BOARD OF JUDICIAL CONDUCT**  
**FISCAL YEAR 2017-2018 FIRST QUARTERLY REPORT**  
 (For the period 7/1/17 through 9/30/17)  
 Due 1/20/18

The number of complaints OPENED<sup>1</sup> this quarter is 153. Year to date the number is 153.

The number of complaints CLOSED this quarter is 127. Year to date the number is 127.

The DISPOSITION of the complaints closed this quarter is:

		YTD (Year to Date)
Dismissed, complaint about court ruling----	97	97
Dismissed, no jurisdiction -----	11	11
Dismissed, inadequate factual basis -----	16	16
Dismissal with warning -----	3	3
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
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	0	0
<b>TOTAL</b>	<b>127</b>	<b>127</b>

The number of complaints PENDING on the last day of this quarter is 52.

The number of complaints for which PROBABLE CAUSE WAS FOUND<sup>2</sup> this quarter is 1.  
 The number year to date is 1.

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.  
 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:

<b>A) Failure to comply with the law:</b>		<u>YTD</u>
Criminal -----	41	41
Circuit -----	22	22
Chancery -----	5	5
General Sessions -----	48	48
Juvenile -----	3	3
Magistrate and Referee-----	1	1
Municipal -----	1	1
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	8	8
Senior and Retired -----	2	2
Other -----	<u>1</u>	<u>1</u> (Non-judge, deceased judge, judge from another state, etc.)
TOTAL	132	132

<b>B) Bias, prejudice and unfairness:</b>		<u>YTD</u>
Criminal -----	1	1
Circuit -----	1	1
Chancery -----	0	0
General Sessions -----	1	1
Juvenile -----	1	1
Magistrate and Referee-----	1	1
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	5	5

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

<b>D) Abuse of office:</b>		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	1	1
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

<b>E) Delay:</b>		<u>YTD</u>
Criminal -----	3	3
Circuit -----	3	3
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	6	6

<b>F) Ex parte communications:</b>		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	0
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 -----	<u>0</u>	<u>0</u>
TOTAL	1	1

<b>G) Disability:</b>		<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

<b>H) Political violation:</b>		<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

<b>I) Recusal:</b>		<u>YTD</u>
Criminal -----	2	2
Circuit -----	2	2
Chancery -----	1	1
General Sessions -----	1	1
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	6	6

<b>J) Miscellaneous:</b>		<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>0</u>	<u>0</u>
TOTAL	0	0

## Member Voting

	D	FI	D	FI
	YTD			
Hon. Norma Ogle	24	0	24	0
Edward G. Phillips	19	0	19	0
Judge Kenny Armstrong	18	1	18	1
Miles Burdine	31	0	31	0
Judge Angelita Dalton	19	0	19	0
Judge Joe Fowlkes	15	0	15	0
Robert Gardner	26	0	26	0
Ronald Hickman	22	1	22	1
Chris Hodges	16	0	16	0
Thomas Lawless	22	0	22	0
Judge Christy Little	31	0	31	0
Judge Larry Logan	21	0	21	0
Judge Michael Sharp	21	0	21	0
Judge Dwight Stokes	21	1	21	1
Judge Dee Gay	13	0	13	0

D= Dismissals

FI= Full Investigations

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chris Craft". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

CHRIS CRAFT, Board Chair  
BOARD OF JUDICIAL CONDUCT