



**THE TENNESSEE
COURT OF THE JUDICIARY**

511 Union Street
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Nashville, TN 37219

JUDGES OF THE TENNESSEE
COURT OF THE JUDICIARY

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June 27, 2012

Michael W. Catalano, Clerk
100 Supreme Court Building
401 Seventh Avenue, North
Nashville, TN 37219-1407
615-253-1470

FOR PUBLIC RELEASE

The Honorable John Gasaway
Montgomery County Court Center
2 Millennium Plaza, Suite 481
Clarksville, Tennessee 47040

RE: Complaint
File No. 12-4893

Dear Judge Gasaway:

This shall serve as a letter of public reprimand pursuant to your agreement with the investigative panel of the court.

This reprimand relates to your publishing of an order on the Montgomery County Court website on or about February 21, 2012. This order was in response to a Motion to Recuse regarding cases assigned to you or to be assigned to you by several attorneys who had recently left the office of a law practice that included your wife, an attorney in Montgomery County, Tennessee, who was a partner in that practice. At the time of the separation of one of these attorneys from this practice, a significant dispute had arisen between your wife and this attorney.

In the order, in which the motion for recusal was denied, you indicated that that you concluded that the action of the attorneys in filing the motion was intended to defame the reputation of yourself and your wife, and that you had developed a prejudice against each of these lawyers which mandated case transfers out of your division and into another division of court of any cases that were assigned to you in which any of the attorneys were involved.

A hearing was never conducted in connection with the order that you published. This order contained the recitation of numerous factual matters concerning the dispute between your wife and one of the moving attorneys, the knowledge of which was not gained by you in any hearing, or in any other manner which was proper for your consideration. The order also inappropriately and incorrectly accused the moving attorneys of a violation of the rules of confidentiality regarding matters before the Tennessee Board of Professional Responsibility and rules involving candor to the court.

In a meeting with Disciplinary Counsel in connection with the complaint filed against you, you indicated that you realized that you had been in error entering this order and in reciting facts that were not properly considered by you. You also indicated that you recognized that you were in error in your accusation of misconduct by the attorneys involved in the motion.

Your publication of this order was a violation of Canon 2 of the Code of Judicial Conduct as set forth in Rule 10 of the Rules of the Supreme Court of Tennessee which provides in pertinent part:

CANON 2 — A Judge Shall Avoid Impropriety and the Appearance of Impropriety in All of the Judge's Activities

A. A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

B. A judge shall not allow family, social, political, or other relationships to influence the judge's judicial conduct or judgment...

Accordingly, this letter constitutes a public reprimand for your action.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Chris Craft", with a long horizontal flourish extending to the right.

Chris Craft
Presiding Judge

CC/bep