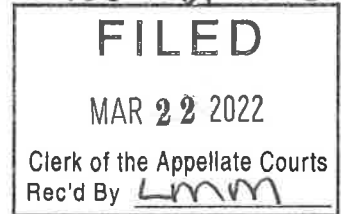


ADM2022-00010



**BOARD OF JUDICIAL CONDUCT
 QUARTERLY REPORT**
 (For the period 10/1/2021 through 12/31/2021)

The number of complaints OPENED¹ this quarter is 91. Year to date the number is 350.

The number of complaints CLOSED this quarter is 75. Year to date the number is 337.

The DISPOSITION of the complaints closed this quarter is:

		YTD (Year to Date)
Dismissed, complaint about court ruling----	32	170
Dismissed, no jurisdiction -----	0	1
Dismissed, inadequate factual basis -----	35	121
Dismissal with warning -----	1	10
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	2
Private reprimand -----	0	2
Public reprimand -----	2	2
Other -----	2	21
Retired complaint, no longer a judge -----	3	4
Cease and Desist Order-----	0	0
Suspension -----	0	1
Recommendation of removal from office --	0	0
TOTAL	75	334

The number of complaints PENDING on the last day of this quarter is 31.

The number of complaints for which PROBABLE CAUSE WAS FOUND² this quarter is 4.
 The number year to date is 8.

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. This Board came into existence on July 1, 2019. Therefore, there is no five-year statistical data to compare. On March 13, 2020, the Tennessee Supreme Court declared a state of Emergency for the Judicial Branch of Tennessee government and suspended in-person court proceedings, with certain exceptions through March 31, 2020. *See In re: Covid-19 Pandemic*, No. ADM2020-00428 (Tenn. 2020). On March 25, 2020, the Tennessee Supreme Court continued the suspension of in-court proceedings through April 30, 2020. *Id.*

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. § 17-5-303 (c)(2).

The number of complaints for which FORMAL CHARGES WERE FILED this quarter is 0.
 The number year to date is 0.

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 -----	15	50
Circuit -----	12	54
Chancery -----	7	22
General Sessions -----	23	71
Juvenile -----	5	12
Magistrate and Referee-----	1	2
Municipal -----	1	2
Commissioner -----	0	2
Probate -----	0	2
Appellate Court -----	1	10
Senior and Retired -----	0	4
Other -----	0	0
TOTAL	65	231

(Non-judge, deceased judge, judge from another state, etc.)

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	2	14
Circuit -----	4	14
Chancery -----	2	6
General Sessions -----	5	10
Juvenile -----	0	0
Magistrate and Referee-----	0	2
Municipal -----	2	3
Commissioner -----	0	1
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	2
TOTAL	15	52

C) Discourtesy:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	2
Chancery -----	2	2
General Sessions -----	0	7
Juvenile -----	0	4
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	15

D) Abuse of office:		<u>YTD</u>
Criminal -----	0	1
Circuit -----	0	7
Chancery -----	0	0
General Sessions -----	0	9
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	1
Commissioner -----	0	1
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	1
Other -----	<u>0</u>	<u>0</u>
TOTAL	0	20

E) Delay:		<u>YTD</u>
Criminal -----	1	6
Circuit -----	0	4
Chancery -----	0	0
General Sessions -----	0	1
Juvenile -----	0	0
Magistrate and Referee-----	0	2
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	13

F) Ex parte communications:		<u>YTD</u>
Criminal -----	0	1
Circuit -----	0	0
Chancery -----	0	2
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	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 -----	<u>0</u>	<u>0</u>
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 -----	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	1	2

I) Recusal:		<u>YTD</u>
Criminal -----	1	1
Circuit -----	0	4
Chancery -----	0	0
General Sessions -----	0	0
Juvenile -----	0	2
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>1</u>
TOTAL	1	8

J) Miscellaneous:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	1
Chancery -----	0	0
General Sessions -----	2	2
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	3	3
Other -----	<u>0</u>	<u>0</u>
TOTAL	5	7

Member Voting

	D	FI	D(YTD)	FI(YTD)
Robert Wilkinson	7	0	54	5
Hon. Jeffrey Atherton	7	0	38	5
Hon. H. Allen Bray	19	2	77	2
Hon. Andrew Brigham	7	0	62	1
Hon. Valerie Smith	19	2	27	2
Edwena Crowe	19	2	101	2
Rita Ellison	7	0	63	5
William Koch Jr	9	2	84	4
Hon. Camille McMullen	13	0	79	2
Dr. Albert Mosley	7	0	62	1
Benjamin Purser Jr	9	2	84	4
Richard Rogers	7	0	62	1
Dan Springer	9	2	84	4
Terica Smith	13	0	79	2
Hon. John Whitworth	13	0	103	2

D= Dismissals

FI= Full Investigations

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dee David Gay". The signature is stylized with a large, prominent loop at the bottom right.

Dee David Gay, Board Chair
BOARD OF JUDICIAL CONDUCT