

## THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street  
Suite 600  
Nashville, TN 37219

MEMBERS OF THE TENNESSEE  
BOARD OF JUDICIAL CONDUCT

October 11, 2013

Michael W. Catalano, 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

Jeffrey S. Bivins  
Miles Burdine  
Angelita B. Dalton  
Timothy L. Easter  
Joe F. Fowlkes  
Tas Gardner  
J. Ronald Hickman  
Chris A. Hodges  
Holly Kirby  
Thomas W. Lawless  
Christy R. Little  
Larry J. Logan  
J. Michael Sharp  
Dwight E. Stokes  
David Wedekind

Russell Humphrey  
Chief Clerk of the Senate  
Office of the Chief Clerk  
State Capitol, 2<sup>nd</sup> Floor  
Nashville, TN 37243

Joe McCord  
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 September, 2013, as mandated by Tenn. Code Ann. § 17-5-207.

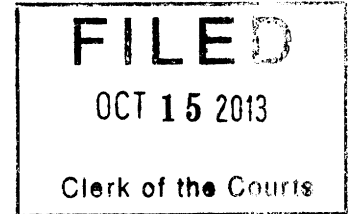
Sincerely,

A handwritten signature in black ink that reads "Chris Craft". The signature is stylized and cursive.

CHRIS CRAFT  
Board Chair

CC/bep

**BOARD OF JUDICIAL CONDUCT  
MONTHLY REPORT FOR SEPTEMBER, 2013**



The number and category of complaints OPENED<sup>1</sup>:

	<u>THIS MONTH</u>	<u>THIS FISCAL YEAR</u>
A) Failure to comply with law: -----	38	83
B) Bias, prejudice and unfairness: -----	0	3
C) Discourtesy: -----	0	4
D) Abuse of office: -----	2	7
E) Delay: -----	7	17
F) Ex parte communications: -----	1	2
G) Disability: -----	0	0
H) Political violation: -----	1	2
I) Recusal: -----	2	2
J) Miscellaneous: -----	<u>0</u>	<u>1</u>
TOTAL	51	121

The number and category of complaints CLOSED:

	<u>THIS MONTH</u>	<u>THIS FISCAL YEAR</u>
A) Failure to comply with law: -----	32	80
B) Bias, prejudice and unfairness: -----	4	9
C) Discourtesy: -----	5	7
D) Abuse of office: -----	0	2
E) Delay: -----	9	15
F) Ex parte communications: -----	1	3
G) Disability: -----	0	0
H) Political violation: -----	0	1
I) Recusal: -----	1	3
J) Miscellaneous: -----	<u>0</u>	<u>0</u>
TOTAL	52	120

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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.

DISPOSITION of the complaints closed by CATEGORY:

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>A) Failure to comply with law:</b>		
Dismissed, complaint about court ruling----	30	74
Dismissed, no jurisdiction -----	1	2
Dismissed, inadequate factual basis -----	0	1
Dismissal with warning -----	0	0
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 -----	1	3
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	32	80

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>B) Bias, prejudice and unfairness:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	4
Dismissal with warning -----	0	0
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 -----	4	5
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	4	9

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>C) Discourtesy:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	2	3
Dismissal with warning -----	0	1
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 -----	3	3
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	5	7

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>D) Abuse of office:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	2
Dismissal with warning -----	0	0
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
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	2

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>E) Delay:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	8	14
Dismissal with warning -----	0	0
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 -----	1	1
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	9	15

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>F) Ex parte communications:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	0
Dismissal with warning -----	0	1
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 -----	1	2
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	1	3

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>G) Disability:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	0
Dismissal with warning -----	0	0
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
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	0

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>H) Political violation:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	0
Dismissal with warning -----	0	1
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
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	1

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>I) Recusal:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	1	3
Dismissal with warning -----	0	0
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
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	1	3

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
<b>J) Miscellaneous:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	0
Dismissal with warning -----	0	0
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
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	0