



MAY 19 2014

THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street
Suite 600
Nashville, TN 37219

MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT

May 17, 2014

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
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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, 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 April, 2014, as mandated by Tenn. Code Ann. § 17-5-207(a).

Please also find enclosed the Quarterly Report for the third quarter of this fiscal year, as mandated by Tenn. Code Ann. § 17-5-207(b). Although it is not due to be filed until June 20, 2014, we have been able to complete that statistical analysis early and felt you should be sent this report as soon as it was available.

Sincerely,

CHRIS CRAFT
Board Chair

CC/bep

**BOARD OF JUDICIAL CONDUCT
MONTHLY REPORT FOR APRIL, 2014**

RECEIVED

MAY 19 2014

Clerk of the Courts
Rec'd By _____

The number and category of complaints OPENED¹:

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
A) Failure to comply with law: -----	23	245
B) Bias, prejudice and unfairness: -----	0	10
C) Discourtesy: -----	2	7
D) Abuse of office: -----	1	22
E) Delay: -----	1	29
F) Ex parte communications: -----	0	5
G) Disability: -----	0	3
H) Political violation: -----	5	15
I) Recusal: -----	2	11
J) Miscellaneous: -----	<u>0</u>	<u>6</u>
TOTAL	34	353

FILED

MAY 19 2014

Clerk of the Courts
Rec'd By _____

The number and category of complaints CLOSED:

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
A) Failure to comply with law: -----	25	245
B) Bias, prejudice and unfairness: -----	0	15
C) Discourtesy: -----	2	11
D) Abuse of office: -----	6	17
E) Delay: -----	0	27
F) Ex parte communications: -----	4	9
G) Disability: -----	0	2
H) Political violation: -----	2	8
I) Recusal: -----	2	11
J) Miscellaneous: -----	<u>0</u>	<u>5</u>
TOTAL	41	350

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>
A) Failure to comply with law:		
Dismissed, complaint about court ruling----	21	228
Dismissed, no jurisdiction -----	2	5
Dismissed, inadequate factual basis -----	1	3
Dismissal with warning -----	0	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 -----	1	6
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	25	245

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
B) Bias, prejudice and unfairness:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	9
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	1
Other -----	0	0
Retired complaint, no longer a judge -----	0	5
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	15

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
C) Discourtesy:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	1
Dismissed, inadequate factual basis -----	2	6
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	3
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	2	11

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
D) Abuse of office:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	2	11
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	1
Private censure -----	0	0
Public reprimand -----	0	1
Public censure -----	1	1
Other -----	3	3
Retired complaint, no longer a judge -----	0	0
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	6	17

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
E) Delay:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	24
Dismissal with warning -----	0	1
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	1
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	1
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	27

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
F) Ex parte communications:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	2	3
Dismissal with warning -----	1	3
Dismissal after full investigation -----	1	1
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	2
Cease and Desist Order-----	0	0
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>
G) Disability:		
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
Cease and Desist Order-----	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>
H) Political violation:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	1	2
Dismissal with warning -----	1	5
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	1
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	2	8

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
I) Recusal:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	2	11
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	2	11

	<u>THIS</u> <u>MONTH</u>	<u>THIS FISCAL</u> <u>YEAR</u>
J) Miscellaneous:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	5
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	5