

**THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

511 Union Street
Suite 600
Nashville, TN 37219

**MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT**

February 17, 2015

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

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, 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 January, 2015, as mandated by Tenn. Code Ann. § 17-5-207(a).

Please also find enclosed the Quarterly Report for the second quarter of this fiscal year, as mandated by Tenn. Code Ann. § 17-5-207(b). Although it is not due until March 20, 2015, we have completed the tally and felt you should have it as soon as possible. As Justices Kirby and Bivins and Judge Tim Easter changed judicial positions last quarter and were removed from the Board as disqualified, their replacements not having yet been sworn, only the present 12 members are listed in this quarter's vote total.

Sincerely,


CHRIS CRAFT
Board Chair

CC/bep

FILED
FEB 23 2015
Clerk of the Courts
Rec'd By _____

BOARD OF JUDICIAL CONDUCT
FISCAL YEAR 2014-2015 SECOND QUARTERLY REPORT
(For the period 10/1/14 through 12/31/14)
Due 3/20/15

The number of complaints OPENED¹ this quarter is 92. Year to date the number is 195.

The number of complaints CLOSED this quarter is 105. Year to date the number is 217.

The DISPOSITION of the complaints closed this quarter is:

		YTD (Year to Date)
Dismissed, complaint about court ruling----	57	119
Dismissed, no jurisdiction -----	7	7
Dismissed, inadequate factual basis -----	29	56
Dismissal with warning -----	3	11
Dismissal after full investigation -----	0	1
Deferred discipline agreement -----	0	1
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	1	1
Public censure -----	1	1
Other -----	3	4
Retired complaint, no longer a judge -----	3	15
Cease and Desist Order-----	1	1
Suspension -----	0	0
Recommendation of removal from office --	0	0
TOTAL	105	217

The number of complaints PENDING on the last day of this quarter is 44.

The number of complaints for which PROBABLE CAUSE WAS FOUND² this quarter is 3.
The number year to date is 9.

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

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:

A) Failure to comply with the law:		<u>YTD</u>
Criminal -----	16	33
Circuit -----	17	35
Chancery -----	2	7
General Sessions -----	18	34
Juvenile -----	2	3
Magistrate and Referee-----	2	8
Municipal -----	1	1
Commissioner -----	1	4
Probate -----	0	0
Appellate Court -----	1	1
Senior and Retired -----	0	1
Other -----	2	3
TOTAL	62	130 (Non-judge, deceased judge, judge from another state, etc.)

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	2	2
Circuit -----	2	4
Chancery -----	0	0
General Sessions -----	1	4
Juvenile -----	1	1
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	11

C) Discourtesy:		<u>YTD</u>
Criminal -----	1	2
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	2	4
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	3	6

D) Abuse of office:		<u>YTD</u>
Criminal -----	1	1
Circuit -----	4	5
Chancery -----	0	0
General Sessions -----	2	6
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	1	1
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	8	13

E) Delay:		<u>YTD</u>
Criminal -----	8	11
Circuit -----	1	1
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 -----	0	0
TOTAL	10	13

F) Ex parte communications:		<u>YTD</u>
Criminal -----	0	1
Circuit -----	1	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 -----	0	0
TOTAL	1	4

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

H) Political violation:		<u>YTD</u>
Criminal -----	0	1
Circuit -----	0	0
Chancery -----	0	1
General Sessions -----	0	3
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	2
Senior and Retired -----	0	0
Other -----	0	1
TOTAL	0	8

I) Recusal:		<u>YTD</u>
Criminal -----	0	1
Circuit -----	0	0
Chancery -----	1	3
General Sessions -----	0	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 -----	0	0
Other -----	1	1
TOTAL	2	7

J) Miscellaneous:		<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>1</u>
TOTAL	0	1

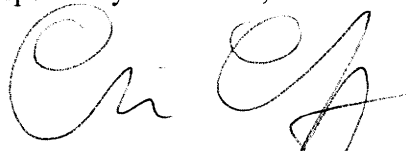
Member Voting

	D	FI	YTD D	FI
Miles Burdine	15	0	34	0
Judge Angelita Dalton	20	0	30	1
Judge Joe Fowlkes	13	0	28	0
Robert Gardner	18	0	31	1
Ronald Hickman	22	2	43	4
Chris Hodges	14	0	30	0
Thomas Lawless	9	0	22	0
Judge Christy Little	37	2	60	6
Judge Larry Logan	39	3	59	7
Judge Michael Sharp	7	0	31	0
Judge Dwight Stokes	22	1	45	2
David Wedekind	24	2	38	6

D= Dismissals

FI= Full Investigations

Respectfully submitted,



CHRIS CRAFT, Board Chair
BOARD OF JUDICIAL CONDUCT