



ADM2017-00010

## THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street  
Suite 600  
Nashville, TN 37219

### MEMBERS OF THE TENNESSEE BOARD OF JUDICIAL CONDUCT

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September 13, 2017

James M. Hivner, Clerk  
100 Supreme Court Building  
401 Seventh Avenue, North  
Nashville, TN 37219-1407  
615-253-1470

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

Tammy Letzler  
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 August, 2017, as mandated by Tenn. Code Ann. § 17-5-207(a).

Please also find enclosed the Quarterly Report for the fourth quarter of this fiscal year, as mandated by Tenn. Code Ann. § 17-5-207(b).

Sincerely,

CHRIS CRAFT  
Board Chair

CC/bep

**BOARD OF JUDICIAL CONDUCT  
FISCAL YEAR 2016-2017 FOURTH QUARTERLY REPORT  
(For the period 4/1/17 through 6/30/17)  
Due 9/20/17**

2017 SEP 18 PM 3:45

APPELLATE COURT  
CLERK

The number of complaints OPENED<sup>1</sup> this quarter is 95. Year to date the number is 405.

The number of complaints CLOSED this quarter is 104. Year to date the number is 432.

The DISPOSITION of the complaints closed this quarter is:

	YTD	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	
Dismissed, complaint about court ruling----	74	288	209	253	228	255
Dismissed, no jurisdiction -----	9	20	15	8	23	9
Dismissed, inadequate factual basis -----	18	87	99	98	105	93
Dismissal with warning -----	0	8	11	19	19	3
Dismissal after full investigation -----	0	0	1	1	0	0
Deferred discipline agreement -----	0	18	1	1	1	2
Private reprimand -----	2	7	8	1	3	6
Private censure -----	0	0	0	0	0	0
Public reprimand -----	0	1	5	4	2	6
Public censure -----	0	0	1	3	2	0
Other -----	0	1	0	5	4	5
Retired complaint, no longer a judge -----	1	2	1	17	15	2
Cease and Desist Order-----	0	0	0	1	1	0
Suspension -----	0	0	0	0	0	0
Recommendation of removal from office --	0	0	0	0	0	0
<b>TOTAL</b>	<b>104</b>	<b>432</b>	<b>350</b>	<b>411</b>	<b>404</b>	<b>381</b>

The number of complaints PENDING on the last day of this quarter is 26.

The number of complaints for which PROBABLE CAUSE WAS FOUND<sup>2</sup> this quarter is 1.  
The number year to date is 10.

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:

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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.  
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).

		<u>YTD</u>	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16
<b>A) Failure to comply with the law:</b>						
Criminal -----	23	95	74	77	75	92
Circuit -----	14	71	50	65	70	65
Chancery -----	8	26	21	18	16	23
General Sessions -----	18	78	63	72	57	78
Juvenile -----	1	5	5	4	5	1
Magistrate and Referee-----	1	7	17	16	14	8
Municipal -----	2	9	5	8	4	4
Commissioner -----	1	5	3	1	9	5
Probate -----	1	3	1	0	0	1
Appellate Court -----	0	12	1	13	2	12
Senior and Retired -----	0	1	3	5	1	1
Other -----	4	7	8	4	11	4
<b>TOTAL</b>	<b>73</b>	<b>319</b>	<b>253</b>	<b>283</b>	<b>264</b>	<b>294</b>

		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
<b>B) Bias, prejudice and unfairness:</b>						
Criminal -----	1	4	6	6	8	4
Circuit -----	1	3	6	1	10	8
Chancery -----	0	1	4	0	0	4
General Sessions -----	0	2	10	3	14	9
Juvenile -----	0	0	3	0	3	0
Magistrate and Referee-----	0	0	4	0	3	6
Municipal -----	0	0	0	1	0	0
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0	0
Other -----	0	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>10</b>	<b>33</b>	<b>11</b>	<b>38</b>	<b>31</b>

		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
<b>C) Discourtesy:</b>						
Criminal -----	2	4	4	3	2	3
Circuit -----	1	3	3	0	0	1
Chancery -----	0	0	0	0	0	1
General Sessions -----	3	8	4	4	4	6
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	0	1	3	0	0	1
Municipal -----	0	0	2	0	0	0
Commissioner -----	1	1	0	0	0	0
Probate -----	0	0	1	0	0	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0	0
Other -----	0	0	0	0	0	0
<b>TOTAL</b>	<b>7</b>	<b>17</b>	<b>17</b>	<b>7</b>	<b>6</b>	<b>12</b>

D) Abuse of office:		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
Criminal -----	0	0	0	4	1	1
Circuit -----	0	0	5	1	7	0
Chancery -----	0	0	0	2	0	1
General Sessions -----	0	4	9	12	9	2
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	0	0	1	4	0	1
Municipal -----	0	0	0	2	0	0
Commissioner -----	0	0	0	2	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	1	3	2	0
Senior and Retired -----	0	0	1	0	0	0
Other -----	0	0	0	0	1	0
<b>TOTAL</b>	<b>0</b>	<b>4</b>	<b>17</b>	<b>30</b>	<b>20</b>	<b>5</b>

E) Delay:		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
Criminal -----	3	11	9	11	16	9
Circuit -----	5	12	2	12	3	11
Chancery -----	1	3	1	1	1	0
General Sessions -----	0	3	4	10	2	11
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	0	0	0	0	0	1
Municipal -----	0	1	0	0	1	0
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	1	1	0
Appellate Court -----	0	0	0	0	1	1
Senior and Retired -----	0	0	0	0	0	0
Other -----	0	0	0	0	0	0
<b>TOTAL</b>	<b>9</b>	<b>30</b>	<b>16</b>	<b>35</b>	<b>25</b>	<b>33</b>

F) <i>Ex parte</i> communications:		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
Criminal -----	1	1	1	0	1	0
Circuit -----	0	1	0	2	4	3
Chancery -----	0	0	1	2	0	0
General Sessions -----	0	0	5	2	0	1
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	0	0	2	1	1	0
Municipal -----	0	0	0	0	0	1
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0	0
Other -----	0	0	1	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>2</b>	<b>10</b>	<b>7</b>	<b>6</b>	<b>5</b>

G) Disability:		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
Criminal -----	0	0	2	0	1	0
Circuit -----	0	0	0	3	0	0
Chancery -----	0	0	0	0	0	0
General Sessions -----	0	2	1	1	3	0
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	0	1	0	0	1	0
Municipal -----	0	1	1	0	0	0
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0	0
Other -----	0	0	0	0	0	0
TOTAL	0	4	4	4	5	0

H) Political violation:		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
Criminal -----	0	0	0	0	1	0
Circuit -----	0	0	1	3	0	0
Chancery -----	0	1	2	0	1	0
General Sessions -----	0	0	0	5	3	0
Juvenile -----	0	0	0	1	0	0
Magistrate and Referee-----	0	0	0	0	0	0
Municipal -----	0	0	1	1	0	0
Commissioner -----	0	0	0	0	0	1
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	0	5	2	0
Senior and Retired -----	0	0	0	0	0	0
Other -----	0	0	1	9	1	0
TOTAL	0	1	5	24	8	1

I) Recusal:		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
Criminal -----	1	3	3	3	3	6
Circuit -----	1	4	3	3	2	10
Chancery -----	0	1	2	0	4	0
General Sessions -----	1	3	10	9	5	7
Juvenile -----	0	0	0	1	0	1
Magistrate and Referee-----	0	0	0	0	1	1
Municipal -----	0	0	0	0	0	1
Commissioner -----	0	4	0	0	1	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	1	0	0	1	3
Senior and Retired -----	0	1	0	0	0	0
Other -----	0	0	0	0	1	0
TOTAL	3	17	18	16	18	29

J) Miscellaneous:		<u>YTD</u>	2012-13	2013-14	2014-15	2015-16
Criminal -----	0	0	0	1	0	0
Circuit -----	0	0	1	2	0	0
Chancery -----	0	0	0	0	0	0
General Sessions -----	0	0	0	3	0	0
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	0	0	0	0	0	0
Municipal -----	0	0	0	0	0	0
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0	0
Other -----	0	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>1</u>
TOTAL	0	1	1	6	1	1

## Member Voting

	D	FI	D <sup>YTD</sup>	FI
Hon. Norma Ogle	7	0	45	0
Edward G. Phillips	17	0	81	2
Judge Kenny Armstrong	23	0	75	6
Miles Burdine	19	0	78	0
Judge Angelita Dalton	13	0	66	1
Judge Joe Fowlkes	7	0	36	0
Robert Gardner	16	0	71	3
Ronald Hickman	23	0	73	4
Chris Hodges	8	0	52	2
Thomas Lawless	4	0	21	0
Judge Christy Little	23	0	93	1
Judge Larry Logan	14	0	59	1
Judge Michael Sharp	11	0	57	0
Judge Dwight Stokes	22	0	69	3
Judge Dee Gay	10	0	61	1

D= Dismissals

FI= Full Investigations

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Chris Craft". The signature is fluid and cursive, with the first name "Chris" and the last name "Craft" clearly distinguishable.

CHRIS CRAFT, Board Chair  
BOARD OF JUDICIAL CONDUCT