



Adm2018-00011

THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street
Suite 600
Nashville, TN 37219

MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT

Chris Craft
Chairperson

Timothy R. Discenza
Disciplinary Counsel

Patrick J. McHale
Assistant Disciplinary Counsel

Kenny Armstrong
Miles Burdine

Angelita B. Dalton
Joe F. Fowlkes
Tas Gardner

Dee Gay

J. Ronald Hickman

Chris A. Hodges

Thomas W. Lawless

Christy R. Little

Larry J. Logan

Norma Ogle

Ward Phillips

J. Michael Sharp

Dwight E. Stokes

June 18, 2018

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, 2nd Floor
Nashville, TN 37243

Tammy Letzler
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 May, 2018, as mandated by Tenn. Code Ann. § 17-5-207. 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).

Sincerely,

CHRIS CRAFT
Board Chair

CC/bep

FILED
 JUN 21 2018
 Clerk of the Appellate Courts
 Rec'd By LM
 ADM2018-00011

BOARD OF JUDICIAL CONDUCT
FISCAL YEAR 2017-2018 THIRD QUARTERLY REPORT
 (For the period 01/01/18 through 03/31/18)
 Due 6/20/18

The number of complaints OPENED¹ this quarter is 98. Year to date the number is 338.

The number of complaints CLOSED this quarter is 136. Year to date the number is 351.

The DISPOSITION of the complaints closed this quarter is:

	YTD (Year to Date)
Dismissed, complaint about court ruling----101	258
Dismissed, no jurisdiction ----- 3	19
Dismissed, inadequate factual basis ----- 26	57
Dismissal with warning ----- 2	5
Dismissal after full investigation ----- 0	0
Deferred discipline agreement ----- 0	0
Private reprimand ----- 1	1
Private censure ----- 0	0
Public reprimand ----- 1	6
Public censure ----- 0	0
Other ----- 0	3
Retired complaint, no longer a judge -----2	2
Cease and Desist Order----- 0	0
Suspension ----- 0	0
Recommendation of removal from office -- 0	0
TOTAL	136 351

The number of complaints PENDING on the last day of this quarter is 13.

The number of complaints for which PROBABLE CAUSE WAS FOUND² this quarter is 2.
 The number year to date is 7.

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 -----	26	90
Circuit -----	15	48
Chancery -----	4	10
General Sessions -----	18	89
Juvenile -----	0	6
Magistrate and Referee-----	0	3
Municipal -----	1	2
Commissioner -----	0	0
Probate -----	1	1
Appellate Court -----	4	12
Senior and Retired -----	0	4
Other -----	<u>1</u>	<u>4</u> (Non-judge, deceased judge, judge from another
TOTAL	70	269 state, etc.)

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	1	4
Circuit -----	2	7
Chancery -----	0	2
General Sessions -----	2	8
Juvenile -----	0	1
Magistrate and Referee-----	0	1
Municipal -----	0	0
Commissioner -----	0	1
Probate -----	0	0
Appellate Court -----	1	1
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	6	25

C) Discourtesy:		<u>YTD</u>
Criminal -----	1	3
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	1	2
Juvenile -----	1	1
Magistrate and Referee-----	0	1
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	3	7

D) Abuse of office:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	1	1
Chancery -----	0	0
General Sessions -----	1	2
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 -----	<u>0</u>	<u>0</u>
TOTAL	3	4

E) Delay:		<u>YTD</u>
Criminal -----	4	8
Circuit -----	2	6
Chancery -----	1	1
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	7	15

F) Ex parte communications:		<u>YTD</u>
Criminal -----	1	1
Circuit -----	1	1
Chancery -----	0	0
General Sessions -----	0	0
Juvenile -----	0	0
Magistrate and Referee-----	1	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	3	4

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 -----	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

I) Recusal:		<u>YTD</u>
Criminal -----	2	5
Circuit -----	1	3
Chancery -----	1	2
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 -----	<u>0</u>	<u>0</u>
TOTAL	6	14

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 -----	0	0
TOTAL	<u>0</u>	<u>0</u>

Member Voting

	D	FI	YTD D	FI
Hon. Brandon Gibson	14	1	14	1
Edward G. Phillips	33	0	65	0
Judge Kenny Armstrong	20	0	67	2
Miles Burdine	24	1	71	4
Judge Andy Brigham	15	0	15	0
Judge Joe Fowlkes	25	1	49	1
Robert Gardner	18	1	66	5
Ronald Hickman	27	0	76	1
Chris Hodges	22	0	50	1
Thomas Lawless	4	0	30	0
Judge Christy Little	27	1	81	4
Judge Larry Logan	27	1	60	1
Judge Michael Sharp	28	0	55	0
Judge Dwight Stokes	29	0	79	1
Judge Dee Gay	26	0	49	0
Judge Norma Ogle	8	0	40	0
Judge Angelita Dalton	15	0	36	0

D= Dismissals

FI= Full Investigations

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chris Craft', with a long horizontal stroke extending to the right.

CHRIS CRAFT, Board Chair
BOARD OF JUDICIAL CONDUCT