



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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Board Chair

Andrew G. Brigham
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Dan Springer
Terica Smith
John Whitworth
Robert W. Wilkanson

August 16, 2019


Judiciary Committee of the House
Representative Michael Curcio
630 Cordell Hull Building
Nashville, TN 37243

Dear Representative Curcio:

Please find enclosed the statistical report of the Board of
Judicial Conduct covering filings and dispositions for the month of
July, 2019, as mandated by Tenn. Code Ann. § 17-5-202.

If you have any questions or concerns, please contact me.

Sincerely,

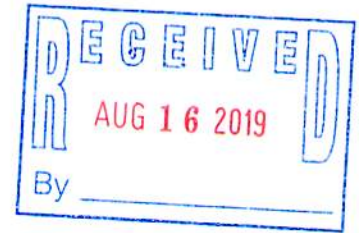


Dee Gay
Board Chair

DDG/sp
Enclosure

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

**BOARD OF JUDICIAL CONDUCT
MONTHLY REPORT FOR JULY 2019**



The number and category of complaints OPENED¹:

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
A) Failure to comply with law: -----	15	15
B) Bias, prejudice and unfairness: -----	7	7
C) Discourtesy: -----	0	0
D) Abuse of office: -----	1	1
E) Delay: -----	1	1
F) Ex parte communications: -----	0	0
G) Disability: -----	0	0
H) Political violation: -----	1	1
I) Recusal: -----	0	0
J) Miscellaneous: -----	0	<u>0</u>
TOTAL	25	25

The number and category of complaints CLOSED:

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
A) Failure to comply with law: -----	16	16
B) Bias, prejudice and unfairness: -----	6	6
C) Discourtesy: -----	0	0
D) Abuse of office: -----	0	0
E) Delay: -----	1	1
F) Ex parte communications: -----	0	0
G) Disability: -----	0	0
H) Political violation: -----	0	0
I) Recusal: -----	1	1
J) Miscellaneous: -----	<u>0</u>	<u>0</u>
TOTAL	24	24

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. This category also contains six complaints there were at various stages of investigation by the previous Board of Judicial Conduct. The current Board of Judicial Conduct did not exist prior to July 1, 2019.

DISPOSITION of the complaints closed by CATEGORY:

	<u>THIS MONTH</u>	<u>YEAR-TODATE</u>
A) Failure to comply with law		
Dismissed, complaint about court ruling----	15	15
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 -----	1	1
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	16	16

	<u>THIS MONTH</u>	<u>YEAR-TO-DATE</u>
B) Bias, prejudice and unfairness:		
Dismissed, complaint about court ruling----	4	4
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	2	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	6	6

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO DATE</u>
C) Discourtesy:		
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>YEAR-TO-DATE</u>
D) Abuse of office:		
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>YEAR-TO-DATE</u>
E) Delay:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	1	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 -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	1	1

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
F) <i>Ex parte</i> communications:		
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>YEAR-TO-DATE</u>
G) Disability:		
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>YEAR-TO-DATE</u>
H) Political violation:		
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>YEAR-TO-DATE</u>
I) Recusal:		
Dismissed, complaint about court ruling----	1	1
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	1	1

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
J) Miscellaneous:		
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