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ADM2020-00010

THE TENNESSEE BOARD OF JUDICIAL CONDUCT

511 Union Street
Suite 600
Nashville, TN 37219

MEMBERS OF THE TENNESSEE
BOARD OF JUDICIAL CONDUCT

Dee David Gay
Board Chair

Andrew G. Brigham
Vice Chair

Shane Hutton
Interim Disciplinary Counsel

Jeffrey M. Atherton
H. Allen Bray
Andrew G. Brigham
Robert Carter, Jr.
Edwena L. Crowe
Rita Ellison
William C. Koch, Jr.
Camille R. McMullen
Albert Mosley
Benjamin Purser, Jr.
Richard Rogers
Dan Springer
Terica Smith
John Whitworth
Robert W. Wilkinson

January 16th, 2020

Judiciary Committee of the Senate
Senator Mike Bell
716 Cordell Hull Building
Nashville, TN 37243

Dear Senator Bell:

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

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

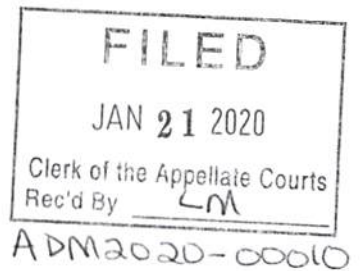
Sincerely,

A handwritten signature in blue ink, appearing to read "Dee Gay".

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



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January 16, 2020

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 December, 2019, as mandated by Tenn. Code Ann. § 17-5-202.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Dee Gay".

Dee Gay
Board Chair

DDG/sp
Enclosure

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

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The number and category of complaints OPENED¹:

	<u>THIS MONTH</u>	<u>YEAR-TO-DATE</u>
A) Failure to comply with law: -----	21	141
B) Bias, prejudice and unfairness: -----	4	45
C) Discourtesy: -----	1	5
D) Abuse of office: -----	1	3
E) Delay: -----	0	6
F) Ex parte communications: -----	0	1
G) Disability: -----	0	1
H) Political violation: -----	0	2
I) Recusal: -----	0	2
J) Miscellaneous: -----	0	<u>9</u>
TOTAL	27	215

The number and category of complaints CLOSED:

	<u>THIS MONTH</u>	<u>YEAR-TO-DATE</u>
A) Failure to comply with law: -----	22	142
B) Bias, prejudice and unfairness: -----	6	46
C) Discourtesy: -----	1	4
D) Abuse of office: -----	0	2
E) Delay: -----	0	7
F) Ex parte communications: -----	0	1
G) Disability: -----	0	1
H) Political violation: -----	0	2
I) Recusal: -----	0	7
J) Miscellaneous: -----	<u>0</u>	<u>5</u>
TOTAL	29	218

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>YEAR-TO-DATE</u>
A) Failure to comply with law		
Dismissed, complaint about court ruling----	11	88
Dismissed, no jurisdiction -----	1	7
Dismissed, inadequate factual basis -----	10	45
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	1
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	22	142

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
B) Bias, prejudice and unfairness:		
Dismissed, complaint about court ruling----	1	19
Dismissed, no jurisdiction -----	0	5
Dismissed, inadequate factual basis -----	5	20
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	2
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	46

	<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 -----	1	4
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	4

	<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	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	1
Retired complaint, no longer a judge -----	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>YEAR-TO-DATE</u>
E) Delay:		
Dismissed, complaint about court ruling----	0	1
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	6
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	7

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
F) Ex parte communications:		
Dismissed, complaint about court ruling----	0	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	0	1

	<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	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	0	1

	<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	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	0	2

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
I) Recusal:		
Dismissed, complaint about court ruling----	0	4
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	3
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	7

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
J) Miscellaneous:		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	5
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	5