

BOARD OF JUDICIAL CONDUCT
QUARTERLY REPORT
(For the period 1/1/2023 through 3/31/2023)
Due 4/20/2023

The number of complaints OPENED¹ this quarter is 99. Year to date the number is 99.

The number of complaints CLOSED this quarter is 89. Year to date the number is 89.

The DISPOSITION of the complaints closed this quarter is:

		YTD (Year to Date)
Dismissed, complaint about court ruling----	27	27
Dismissed, no jurisdiction -----	8	8
Dismissed, inadequate factual basis -----	36	36
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	1	1
Public reprimand -----	1	1
Other -----	16	16
Retired complaint, no longer a judge -----	0	0
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	0	0
TOTAL	89	89

The number of complaints PENDING on the last day of this quarter is 38.

The number of complaints for which PROBABLE CAUSE WAS FOUND² this quarter is 3.

The number year to date is 3.

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. This Board came into existence on July 1, 2019. Therefore, there is no five-year statistical data to compare.

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. § 17-5-303 (c)(2).

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 -----	17	17
Circuit -----	19	19
Chancery -----	3	3
General Sessions -----	14	14
Juvenile -----	4	4
Magistrate and Referee-----	5	5
Municipal -----	2	2
Commissioner -----	2	2
Probate -----	1	1
Appellate Court -----	0	0
Senior and Retired -----	2	2
Other -----	1	1 (Non-judge, deceased judge, judge from another
TOTAL	70	70 state, etc.)

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	2	2
Circuit -----	1	1
Chancery -----	2	2
General Sessions -----	0	0
Juvenile -----	1	1
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	3	3
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	0	0
TOTAL	9	9

C) Discourtesy:		<u>YTD</u>
Criminal -----	4	4
Circuit -----	3	3
Chancery -----	0	0
General Sessions -----	2	2
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	10

D) Abuse of office:		<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	0	0

E) Delay:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	2	2
Chancery -----	0	0
General Sessions -----	2	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 -----	0	0
TOTAL	4	4

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

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 -----	1	1
Circuit -----	0	0
Chancery -----	2	2
General Sessions -----	1	1
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	<u>5</u>	<u>5</u>

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>

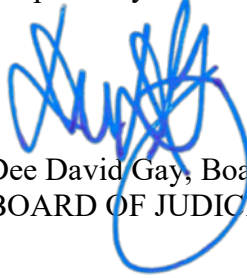
Member Voting

	D	FI	D(YTD)	FI(YTD)
Hon. Jeffrey Atherton	14	0	14	0
Hon. H. Allen Bray	13	0	13	0
Hon. Andrew Brigham	19	0	19	0
Hon. Valerie Smith	13	0	13	0
Edwena Crowe	12	0	12	0
Rodney Brown	6	0	6	0
William Koch Jr	16	3	16	3
Hon. Camille McMullen	11	0	11	0
Bishop Edward Stephens	7	0	7	0
Benjamin Purser Jr	16	3	16	3
vacant				
Dan Springer	16	3	16	3
Terica Smith	11	0	11	0
Hon. John Whitworth	11	0	11	0
Robert Wilkinson	14	0	14	0

D= Dismissals

FI= Full Investigations

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Dee David Gay', is written over the printed name and title.

Dee David Gay, Board Chair
BOARD OF JUDICIAL CONDUCT

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Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	1	1
Public reprimand -----	1	1
Other -----	16	16
Retired complaint, no longer a judge -----	0	0
Cease and Desist Order-----	0	0
Suspension -----	0	0
Recommendation of removal from office --	0	0
TOTAL	89	89

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Municipal -----	2	2
Commissioner -----	2	2
Probate -----	1	1
Appellate Court -----	0	0
Senior and Retired -----	2	2
Other -----	<u>1</u>	<u>1</u> (Non-judge, deceased judge, judge from another
TOTAL	70	70 state, etc.)

B) Bias, prejudice and unfairness:		<u>YTD</u>
Criminal -----	2	2
Circuit -----	1	1
Chancery -----	2	2
General Sessions -----	0	0
Juvenile -----	1	1
Magistrate and Referee-----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	3	3
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	9	9

C) Discourtesy:		<u>YTD</u>
Criminal -----	4	4
Circuit -----	3	3
Chancery -----	0	0
General Sessions -----	2	2
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	10

D) Abuse of office:		<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	0	0

E) Delay:		<u>YTD</u>
Criminal -----	0	0
Circuit -----	2	2
Chancery -----	0	0
General Sessions -----	2	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 -----	0	0
TOTAL	4	4

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

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 -----	1	1
Circuit -----	0	0
Chancery -----	2	2
General Sessions -----	1	1
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	5	5

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>0</u>
TOTAL	0	0

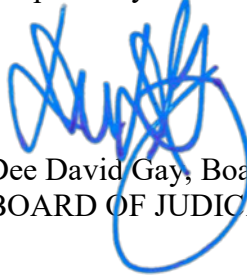
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Hon. Valerie Smith	13	0	13	0
Edwena Crowe	12	0	12	0
Rodney Brown	6	0	6	0
William Koch Jr	16	3	16	3
Hon. Camille McMullen	11	0	11	0
Bishop Edward Stephens	7	0	7	0
Benjamin Purser Jr	16	3	16	3
vacant				
Dan Springer	16	3	16	3
Terica Smith	11	0	11	0
Hon. John Whitworth	11	0	11	0
Robert Wilkinson	14	0	14	0

D= Dismissals

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Respectfully submitted,

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Dee David Gay, Board Chair
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