

BOARD OF JUDICIAL CONDUCT
QUARTERLY REPORT
(For the period 7/1/2023 through 9/30/2023)

The number of complaints OPENED¹ this quarter is 105. Year to date the number is 304.

The number of complaints CLOSED this quarter is 96. Year to date the number is 282².

The DISPOSITION of the complaints closed this quarter is:

	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-2022</u>	<u>FY 2022-2023</u>
Dismissed, complaint about court ruling---- 33	95	204	176	199	141
Dismissed, no jurisdiction ----- 3	18	23	0	4	43
Dismissed, inadequate factual basis ----- 37	118	134	119	147	145
Dismissal with warning ----- 4	4	6	11	12	5
Dismissal after full investigation ----- 0	0	0	0	0	0
Deferred discipline agreement ----- 0	0	0	3	1	0
Private reprimand ----- 1	2	6	5	3	2
Public reprimand ----- 5	7	0	3	4	6
Other ----- 13	38	15	30	8	36
Retired complaint, no longer a judge ----- 0	0	0	0	2	0
Cease and Desist Order----- 0	0	0	0	0	0
Suspension ----- 0	0	0	0	2	1
Recommendation of removal from office -- 0	0	0	0	0	0
TOTAL	96	282	388	347	382

The number of complaints PENDING on the last day of this quarter is 46.

The number of complaints for which PROBABLE CAUSE WAS FOUND³ this quarter is 1.
The number year to date is 6.

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.This category represents complaints that were closed after July 1, 2019, but were at various stages of investigation by the previous Board of Judicial Conduct.

3.“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>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	11	48	75	45	67	44
Circuit -----	23	51	70	50	51	77
Chancery -----	3	13	11	23	18	9
General Sessions -----	15	55	57	48	78	61
Juvenile -----	4	13	14	7	19	14
Magistrate and Referee-----	7	11	5	6	5	24
Municipal -----	5	9	3	1	5	10
Commissioner -----	0	9	3	2	10	3
Probate -----	1	3	5	4	3	5
Appellate Court -----	6	9	3	3	10	7
Senior and Retired -----	1	2	5	7	8	12
Other(Non-judge, deceased, etc.)-----	0	0	8	10	2	2
TOTAL	76	223	259	206	276	268

B) Bias, prejudice and unfairness:	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	2	12	20	16	14	11
Circuit -----	4	10	22	14	19	8
Chancery -----	0	4	6	6	4	6
General Sessions -----	1	5	17	10	19	8
Juvenile -----	0	0	6	0	5	3
Magistrate and Referee-----	0	2	0	2	3	5
Municipal -----	0	1	0	1	5	3
Commissioner -----	0	1	0	1	0	0
Probate -----	0	0	1	0	0	3
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	1	1	1	0
Other -----	0	2	9	2	0	0
TOTAL	7	37	82	53	70	47

C) Discourtesy:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	0	0	1	1	2	6
Circuit -----	2	2	2	2	4	7
Chancery -----	0	0	0	0	2	2
General Sessions -----	2	7	5	12	8	7
Juvenile -----	3	4	1	2	2	1
Magistrate and Referee-----	0	0	0	2	0	1
Municipal -----	0	0	0	0	0	2
Commissioner -----	0	0	0	0	2	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	1	0	0
TOTAL	7	13	10	20	20	26

D) Abuse of office:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	0	1	1	1	2	1
Circuit -----	1	7	2	9	3	0
Chancery -----	0	0	0	1	0	0
General Sessions -----	0	9	2	10	2	0
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	0	0	1	0	0	0
Municipal -----	0	1	0	1	0	0
Commissioner -----	0	1	0	1	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	1	0	1	0	0
Other -----	0	0	1	0	0	0
TOTAL	1	20	7	24	7	1

E) Delay:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	1	5	9	11	5	1
Circuit -----	3	4	3	2	2	5
Chancery -----	0	0	1	1	0	0
General Sessions -----	0	1	2	3	0	5
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	2	2	0	0	1	0
Municipal -----	0	0	0	0	0	0
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	0	1	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0	0
Other -----	1	0	1	1	0	0
TOTAL	6	12	17	18	9	11

F) Ex parte communications:	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	0	1	0	4	2	0
Circuit -----	0	0	0	0	1	4
Chancery -----	0	2	0	2	3	1
General Sessions -----	0	0	0	1	1	1
Juvenile -----	0	0	1	0	0	0
Magistrate and Referee----	0	0	0	2	0	0
Municipal -----	0	0	0	0	0	0
Commissioner -----	0	0	1	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	0	2	9	7	6

G) Disability:	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	0	0	0	0	0	0
Circuit -----	0	0	0	0	0	0
Chancery -----	0	0	2	2	0	0
General Sessions -----	0	0	1	1	3	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	0	0	0	0	0
TOTAL	0	2	3	3	3	0

H) Political violation:	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	0	0	0	0	0	0
Circuit -----	0	0	1	0	1	0
Chancery -----	0	0	0	0	0	1
General Sessions -----	0	0	0	1	1	1
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee----	0	0	0	0	0	0
Municipal -----	0	0	1	0	1	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	1	1	1	11	3
TOTAL	0	1	3	2	14	5

I) Recusal:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	0	0	3	5	1	5
Circuit -----	0	4	3	0	3	2
Chancery -----	0	0	0	0	0	3
General Sessions -----	0	0	1	2	5	4
Juvenile -----	0	2	1	0	0	1
Magistrate and Referee-----	0	0	0	1	0	0
Municipal -----	1	0	0	0	0	0
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	1	0	0	0
Senior and Retired -----	0	0	0	0	0	1
Other -----	0	1	0	1	0	0
TOTAL	1	7	9	9	9	16

J) Miscellaneous:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	0	0	0	0	1	0
Circuit -----	0	1	1	1	0	0
Chancery -----	0	0	0	0	0	0
General Sessions -----	0	0	0	0	2	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	3	0
Other -----	0	1	5	1	0	0
TOTAL	0	2	6	2	6	0

Member Voting

	D	FI	D(YTD)	FI(YTD)
Robert Wilkinson	6	0	27	0
Hon. Jeffrey Atherton	9	1	33	1
Hon. H. Allen Bray	20	1	56	1
Hon. Andrew Brigham	2	0	31	0
Hon. Valerie Smith	20	1	56	1
Edwena Crowe	20	1	56	1
Rodney Brown	7	1	25	1
William Koch Jr	26	0	69	4
Hon. Camille McMullen	10	0	38	0
Bishop Edward Stephens	7	1	26	1
Benjamin Purser Jr	26	0	69	4
Hon. John Whitworth	4	0	32	0
Dan Springer	26	0	69	4
Terica Smith	10	0	38	0
Hon. Tony Childress	9	0	9	0
C. Ashley Johnson	4	0	10	0

D= Dismissals

FI= Full Investigations

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Municipal -----	5	9	3	1	5	10
Commissioner -----	0	9	3	2	10	3
Probate -----	1	3	5	4	3	5
Appellate Court -----	6	9	3	3	10	7
Senior and Retired -----	1	2	5	7	8	12
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TOTAL	76	223	259	206	276	268

B) Bias, prejudice and unfairness:	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	2	12	20	16	14	11
Circuit -----	4	10	22	14	19	8
Chancery -----	0	4	6	6	4	6
General Sessions -----	1	5	17	10	19	8
Juvenile -----	0	0	6	0	5	3
Magistrate and Referee-----	0	2	0	2	3	5
Municipal -----	0	1	0	1	5	3
Commissioner -----	0	1	0	1	0	0
Probate -----	0	0	1	0	0	3
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	1	1	1	0
Other -----	0	2	9	2	0	0
TOTAL	7	37	82	53	70	47

C) Discourtesy:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	0	0	1	1	2	6
Circuit -----	2	2	2	2	4	7
Chancery -----	0	0	0	0	2	2
General Sessions -----	2	7	5	12	8	7
Juvenile -----	3	4	1	2	2	1
Magistrate and Referee-----	0	0	0	2	0	1
Municipal -----	0	0	0	0	0	2
Commissioner -----	0	0	0	0	2	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	1	0	0
TOTAL	7	13	10	20	20	26

D) Abuse of office:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	0	1	1	1	2	1
Circuit -----	1	7	2	9	3	0
Chancery -----	0	0	0	1	0	0
General Sessions -----	0	9	2	10	2	0
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	0	0	1	0	0	0
Municipal -----	0	1	0	1	0	0
Commissioner -----	0	1	0	1	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	1	0	1	0	0
Other -----	0	0	1	0	0	0
TOTAL	1	20	7	24	7	1

E) Delay:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	1	5	9	11	5	1
Circuit -----	3	4	3	2	2	5
Chancery -----	0	0	1	1	0	0
General Sessions -----	0	1	2	3	0	5
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee-----	2	2	0	0	1	0
Municipal -----	0	0	0	0	0	0
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	0	1	0
Appellate Court -----	0	0	0	0	0	0
Senior and Retired -----	0	0	0	0	0	0
Other -----	1	0	1	1	0	0
TOTAL	6	12	17	18	9	11

F) Ex parte communications:	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	0	1	0	4	2	0
Circuit -----	0	0	0	0	1	4
Chancery -----	0	2	0	2	3	1
General Sessions -----	0	0	0	1	1	1
Juvenile -----	0	0	1	0	0	0
Magistrate and Referee----	0	0	0	2	0	0
Municipal -----	0	0	0	0	0	0
Commissioner -----	0	0	1	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	0	2	9	7	6

G) Disability:	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	0	0	0	0	0	0
Circuit -----	0	0	0	0	0	0
Chancery -----	0	0	2	2	0	0
General Sessions -----	0	0	1	1	3	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	0	0	0	0	0
TOTAL	0	2	3	3	3	0

H) Political violation:	<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	
Criminal -----	0	0	0	0	0	0
Circuit -----	0	0	1	0	1	0
Chancery -----	0	0	0	0	0	1
General Sessions -----	0	0	0	1	1	1
Juvenile -----	0	0	0	0	0	0
Magistrate and Referee----	0	0	0	0	0	0
Municipal -----	0	0	1	0	1	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	1	1	1	11	3
TOTAL	0	1	3	2	14	5

I) Recusal:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	0	0	3	5	1	5
Circuit -----	0	4	3	0	3	2
Chancery -----	0	0	0	0	0	3
General Sessions -----	0	0	1	2	5	4
Juvenile -----	0	2	1	0	0	1
Magistrate and Referee-----	0	0	0	1	0	0
Municipal -----	1	0	0	0	0	0
Commissioner -----	0	0	0	0	0	0
Probate -----	0	0	0	0	0	0
Appellate Court -----	0	0	1	0	0	0
Senior and Retired -----	0	0	0	0	0	1
Other -----	0	1	0	1	0	0
TOTAL	1	7	9	9	9	16

J) Miscellaneous:		<u>YTD</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
Criminal -----	0	0	0	0	1	0
Circuit -----	0	1	1	1	0	0
Chancery -----	0	0	0	0	0	0
General Sessions -----	0	0	0	0	2	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	3	0
Other -----	0	1	5	1	0	0
TOTAL	0	2	6	2	6	0

Member Voting

	D	FI	D(YTD)	FI(YTD)
Robert Wilkinson	6	0	27	0
Hon. Jeffrey Atherton	9	1	33	1
Hon. H. Allen Bray	20	1	56	1
Hon. Andrew Brigham	2	0	31	0
Hon. Valerie Smith	20	1	56	1
Edwena Crowe	20	1	56	1
Rodney Brown	7	1	25	1
William Koch Jr	26	0	69	4
Hon. Camille McMullen	10	0	38	0
Bishop Edward Stephens	7	1	26	1
Benjamin Purser Jr	26	0	69	4
Hon. John Whitworth	4	0	32	0
Dan Springer	26	0	69	4
Terica Smith	10	0	38	0
Hon. Tony Childress	9	0	9	0
C. Ashley Johnson	4	0	10	0

D= Dismissals

FI= Full Investigations