



STATE OF TENNESSEE  
BOARD OF JUDICIAL CONDUCT

Mailing Address:  
P.O.Box 92276  
Nashville, TN 37209

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

MEMBERS OF THE TENNESSEE  
BOARD OF JUDICIAL CONDUCT

April 16, 2021

Dee David Gay  
Board Chair

Andrew G. Brigham  
Vice Chair

Marshall L. Davidson, III  
Disciplinary Counsel

Shane Hutton  
Assistant Disciplinary Counsel

Jeffrey M. Atherton  
H. Allen Bray  
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

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

Dear Senator Bell:

Please find enclosed the Quarterly Report of the Board of  
Judicial Conduct covering the period of January 1, 2021 through  
March 31, 2021 for the Fiscal Year 2020-2021, as mandated by  
Tenn. Code Ann. § 17-5-207.

Sincerely,  
  
Dee Gay  
Board Chair

DDG/sp  
Enclosure



ADM 2021-00010

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

Dear Representative Curcio:

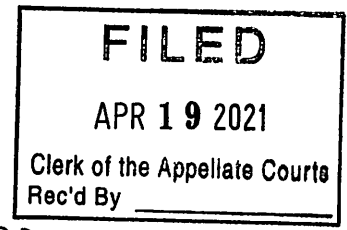
Please find enclosed the Quarterly Report of the Board of Judicial Conduct covering the period of January 1, 2021 through March 31, 2021 for the Fiscal Year 2020-2021, as mandated by Tenn. Code Ann. § 17-5-207.

Sincerely,

A blue ink handwritten signature, appearing to be "Dee Gay", written over the word "Sincerely,".

Dee Gay  
Board Chair

DDG/sp  
Enclosure



ADM2021-00010

BOARD OF JUDICIAL CONDUCT
QUARTERLY REPORT
(For the period 1/1/2021 through 3/31/2021)
Due 4/20/2021

The number of complaints OPENED<sup>1</sup> this quarter is 82. Year to date the number is 82.

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

The DISPOSITION of the complaints closed this quarter is:

Table with 2 columns: Disposition Category and YTD (Year to Date). Rows include Dismissed, no jurisdiction, Dismissal with warning, etc., with a TOTAL row at the bottom showing 96 for both columns.

The number of complaints PENDING on the last day of this quarter is 15.

The number of complaints for which PROBABLE CAUSE WAS FOUND<sup>2</sup> this quarter is 2.
The number year to date is 2.

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. On March 13, 2020, the Tennessee Supreme Court declared a state of Emergency for the Judicial Branch of Tennessee government and suspended in-person court proceedings, with certain exceptions through March 31, 2020. See In re: Covid-19 Pandemic, No. ADM2020-00428 (Tenn. 2020). On March 25, 2020, the Tennessee Supreme Court continued the suspension of in-court proceedings through April 30, 2020. Id.

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 number of complaints for which FORMAL CHARGES WERE FILED this quarter is 0.  
 The number year to date is 0.

The NATURE of the complaints filed and the TYPE OF JUDGE according to the following categories is:

<b>A) Failure to comply with the law:</b>		<u>YTD</u>
Criminal -----	8	8
Circuit -----	18	18
Chancery -----	3	3
General Sessions -----	10	10
Juvenile -----	0	0
Magistrate and Referee-----	1	1
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	1	1
Appellate Court -----	3	3
Senior and Retired -----	1	1
Other -----	<u>0</u>	<u>0</u> (Non-judge, deceased judge, judge from another
TOTAL	45	45 state, etc.)

<b>B) Bias, prejudice and unfairness:</b>		<u>YTD</u>
Criminal -----	4	4
Circuit -----	2	2
Chancery -----	1	1
General Sessions -----	2	2
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	1	1
Commissioner -----	1	1
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>2</u>	<u>2</u>
TOTAL	13	13

<b>C) Discourtesy:</b>		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	0
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>1</u>	<u>0</u>
TOTAL	1	1

<b>D) Abuse of office:</b>		<u>YTD</u>
Criminal -----	0	0
Circuit -----	4	4
Chancery -----	0	0
General Sessions -----	7	7
Juvenile -----	0	0
Magistrate and Referee-----	0	0
Municipal -----	1	1
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	1	1
Other -----	<u>0</u>	<u>0</u>
TOTAL	13	13

<b>E) Delay:</b>		<u>YTD</u>
Criminal -----	3	3
Circuit -----	1	1
Chancery -----	0	0
General Sessions -----	1	1
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	6

<b>F) Ex parte communications:</b>		<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

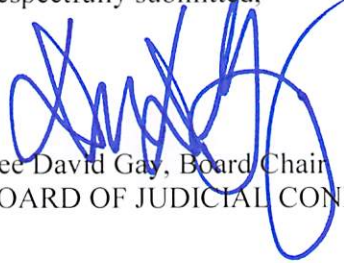
<b>G) Disability:</b>		<u>YTD</u>
Criminal -----	0	0
Circuit -----	0	0
Chancery -----	0	0
General Sessions -----	0	0
Juvenile -----	0	0
Magistrate and Referee----	0	0
Municipal -----	0	0
Commissioner -----	0	0
Probate -----	0	0
Appellate Court -----	0	0
Senior and Retired -----	0	0
Other -----	<u>0</u>	<u>0</u>
TOTAL	0	0

<b>H) Political violation:</b>		<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

<b>I) Recusal:</b>		<u>YTD</u>
Criminal -----	0	0
Circuit -----	2	2
Chancery -----	0	0
General Sessions -----	0	0
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	3

<b>J) Miscellaneous:</b>		<u>YTD</u>
Criminal -----	0	0
Circuit -----	1	1
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	1	1

Respectfully submitted,

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

Dee David Gay, Board Chair  
BOARD OF JUDICIAL CONDUCT