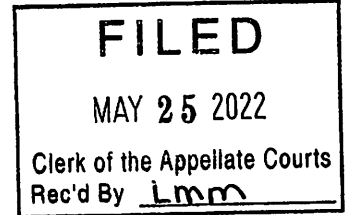


IN THE TENNESSEE BOARD OF JUDICIAL CONDUCT

M2022-00689-BJC-DIS-FC

IN RE: JUDGE DENNIS W. HUMPHREY,
GENERAL SESSIONS COURT,
ROANE COUNTY

File No. B21-8674



ORDER OF SUSPENSION

This matter is before the Board of Judicial Conduct (“Board”) upon an investigation involving Judge Dennis W. Humphrey who has served as a General Sessions Court Judge in Roane County, Tennessee, since 1998. At all times relevant herein, Judge Humphrey was subject to the provisions of Tennessee Supreme Court Rule 10, the Code of Judicial Conduct. As such, Judge Humphrey is subject to judicial discipline by the Board pursuant to Tennessee Code Annotated section 17-5-102(a)(1).

Background

1. On October 20, 2021, Judge Humphrey was involved in a motor vehicle accident with another car in Roane County, Tennessee. He received citations for failing to use due care in violation of Tennessee Code Annotated section 55-8-136 and for having an open container of alcohol in his vehicle in violation of Tennessee Code Annotated section 55-10-416. On November 12, 2021, Judge Humphrey pled guilty to both offenses and paid the associated fines.

2. On February 24, 2022, Judge Humphrey was charged with driving under the influence (“DUI”) stemming from the October 20, 2021, accident. He pled guilty to that offense on May 11, 2022.

3. Following the October 20, 2021, accident, Judge Humphrey contacted the Administrative Office of the Courts and self-reported the accident. He also contacted the Tennessee Lawyers Assistance Program (“TLAP”) and checked himself into Cornerstone of Recovery (“Cornerstone”) in Knox County. Judge Humphrey was admitted to Cornerstone on October 26, 2021, where he underwent nine weeks of in-patient treatment for alcoholism.

4. Judge Humphrey completed Cornerstone’s in-patient program and is currently being monitored by TLAP, which includes attending AA meetings multiple times a week and random alcohol screenings for five years pursuant to a Substance Use Disorder Recovery Monitoring Agreement entered into by Judge Humphrey and TLAP.

5. On March 17, 2022, an investigative panel of the Board composed of William C. Koch, Jr., Benjamin S. Purser, Jr., and Daniel Springer, authorized a full investigation of this matter pursuant to Tennessee Code Annotated section 17-5-303(c)(3).

6. In a notice dated March 22, 2022, Judge Humphrey was advised that his conduct implicated the following: Tenn. Code Ann. § 17-5-301(j)(1)(C) (a judicial offense includes a violation of the Code of Judicial Conduct); Tenn. Code Ann. § 17-5-301(j)(1)(H) (a judicial offense includes conduct calculated to bring the judiciary into public disrepute or to adversely affect the administration of justice); Tenn. Sup. Ct. R. 10, RJC 1.1 (“A judge shall comply with the law, including the Code of Judicial Conduct.”); Tenn. Sup. Ct. R. 10, RJC 1.2 (“A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.”); Tenn. Sup. Ct. R. 10, RJC 3.1(A) (prohibiting personal activities that would interfere with the proper and timely performance of the judge’s duties); and Tenn. Sup. Ct. R. 10, RJC 3.1(C) (prohibiting personal activities that would appear to a reasonable person to undermine the judge’s independence, integrity, or impartiality).

7. In a response dated April 6, 2022, Judge Humphrey admitted to the events described above.

Analysis

8. Judges are required to act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary, must avoid impropriety and the appearance of impropriety, and must comply with the law. Tenn. Sup. Ct. R. 10, RJC 1.1 and 1.2. Judges are also expected to maintain the highest standards of conduct and dignity of judicial office in their professional and personal lives. Preamble, Tenn. Sup. Ct. R. 10(2).

9. When any judge, but especially a judge who adjudicates substance abuse or chemical dependency matters such as Judge Humphrey, is convicted of DUI or related offenses, respect for the judiciary and the administration of justice suffers. Clearly, the public is more likely to respect and have confidence in the integrity and quality of justice administered by a judge if the judge has complied with the same standards of conduct he or she is responsible for applying to others. A judge convicted of DUI, or any other crime, does not inspire such confidence.

10. As the occupant of an honored position of public trust, a judge’s role includes cultivating respect for the law and the administration of justice in both words and deeds. The conduct at issue here did just the opposite.

11. In light of the foregoing, the investigative panel, on May 11, 2022, pursuant to Tennessee Code Annotated section 17-5-303(e)(2)(B)(i)(d), approved the suspension of Judge Humphrey for a period of thirty days. *See* Tenn. Code Ann. § 17-5-301(f)(1)(A) and Tenn. Code Ann. § 17-5-303(e)(2)(B)(i)(d). The panel further determined that Judge Humphrey should be monitored by and adhere to the recommendations of TLAP for a period of five years consistent with his Substance Use Disorder Recovery Monitoring Agreement with TLAP.

12. Judge Humphrey, who has been transparent and cooperative throughout this matter and has accepted full responsibility for his actions, agreed to accept the sanctions described herein in lieu of the filing of formal disciplinary charges.

Conclusion

IT IS, THEREFORE, ORDERED that Judge Humphrey is suspended for a term of thirty (30) days effective July 1, 2022, through July 15, 2022, and September 1, 2022, through September 15, 2022. During this term of suspension, Judge Humphrey is prohibited from exercising any judicial power or authority, including, but not limited to, holding court, issuing subpoenas, setting or resetting cases, issuing warrants, setting or changing bonds, administering oaths, or issuing oral or written rulings in any matter.

IT IS FURTHER ORDERED that Judge Humphrey shall be monitored by and adhere to the recommendations of TLAP for a period of five years consistent with his Substance Use Disorder Recovery Monitoring Agreement with TLAP.

ENTERED this 25th day of May, 2022.



Judge Dee David Gay
Board Chair

FOR THE INVESTIGATIVE PANEL:

William C. Koch, Jr.
William C. Koch, Jr. with permission MLD

5-25-22
Date

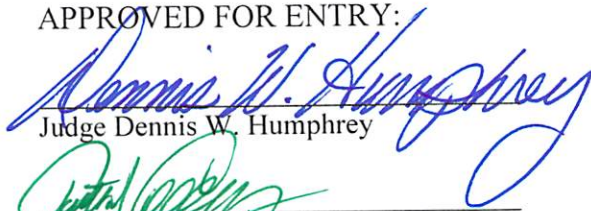
Benjamin S. Purser, Jr.
Benjamin S. Purser, Jr. with permission MLD

5-25-22
Date

Daniel Springer
Daniel Springer with permission MLD

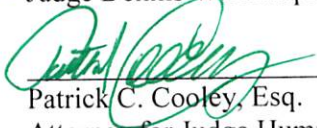
5-25-22
Date

APPROVED FOR ENTRY:



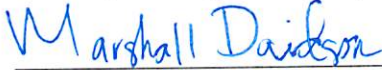
Judge Dennis W. Humphrey

5/17/22
Date



Patrick C. Cooley, Esq.
Attorney for Judge Humphrey

5-17-22
Date



Marshall L. Davidson, III
Disciplinary Counsel


5-25-22
Date

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order has been mailed to the following:

Judge Dennis W. Humphrey
C/O Patrick C. Cooley, Esq.
Cooley, McFarland & Clark
1021 Waterford Place
Kingston, TN 37763

on this 25th day of May, 2022.



Lisa Marsh
Chief Deputy Clerk