

**CRIME & COURTS**

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## Judge: 'Revenge is mine'

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**DURING THIS "SLIDE-SHOW", THE WORDS WHICH WERE SPOKEN THROUGHOUT THE VIDEO BY JUDGE MICHAEL W. BINKLEY, ARE DISPLAYED IN THE WHITE TEXT AT THE BOTTOM OF EACH VIDEO FRAME.**

**MY COMMENTARY WILL APPEAR IN A BOX LIKE THIS. THE REST OF THE PAGE CONTENT SHOULD REMAIN THE SAME THROUGHOUT.**

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**JUDGE MICHAEL W. BINKLEY SWORE AN OATH OF OFFICE TO PROTECT THE FIRST AMENDMENT, BUT AS YOU CAN CLEARLY SEE HERE, HE HATES IT! JUDGE MICHAEL W. BINKLEY THREATENS THE PEOPLE NOT TO USE THEIR CONSTITUTIONAL RIGHTS! WHILE BLAMING THE PRESS AND THE PEOPLE FOR HIS OWN BAD BEHAVIOR!**

**THIS IS UNBECOMING OF ANYONE HOLDING PUBLIC OFFICE! LET ALONE IN HIS OFFICIAL CAPACITY FROM THE BENCH OF JUSTICE, WHICH IS OWNED BY THE PUBLIC! DISGRACEFUL!!!**

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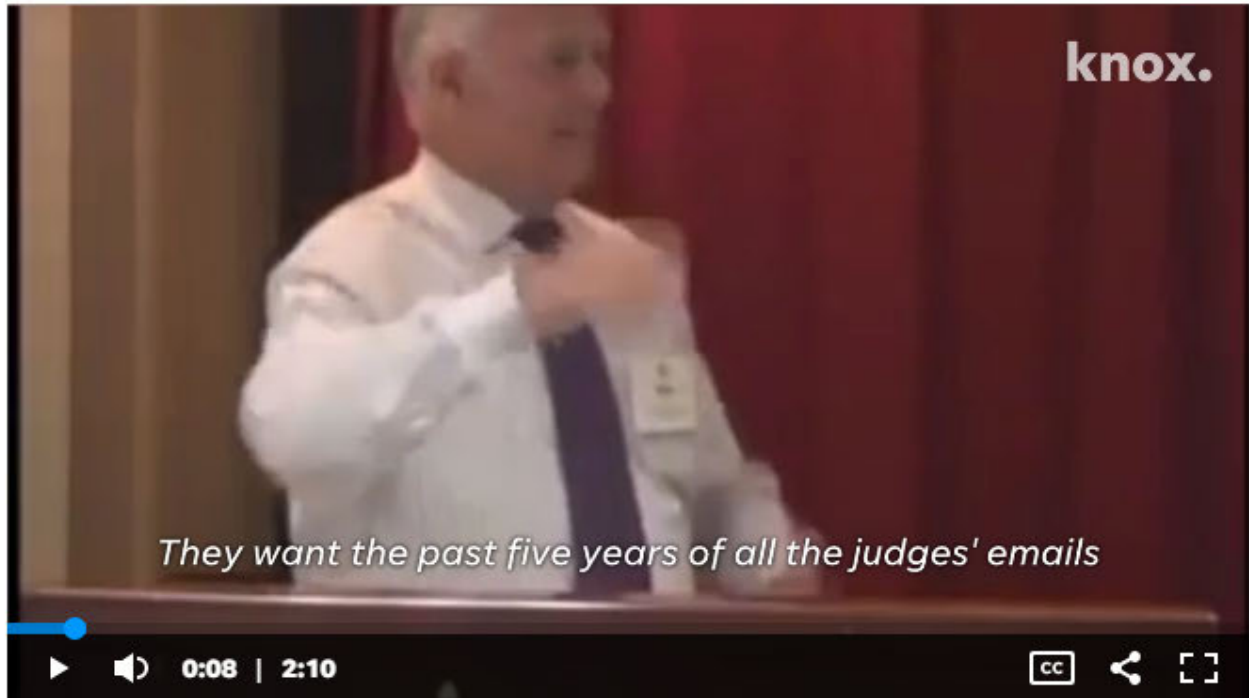
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**JUDGE MICHAEL W. BINKLEY IS EXTREMELY PERSONABLE, HE IS A STRONG PUBLIC SPEAKER, AND HE HAS A GENUINE GIFT FOR BEING ABLE TO CONNECT WITH HIS AUDIENCE, AS IF SPEAKING DIRECTLY WITH THEM (MAKING YOU FEEL VALUED AND IMPORTANT.)**

**HOWEVER, IF YOU LISTEN CAREFULLY TO HIS LANGUAGE, JUDGE MICHAEL W. BINKLEY IS VERY MANIPULATIVE IN THE WORDS HE SPEAKS. HE PRESENTS HIS ARGUMENT AS IF IT WERE "MATTER OF FACT", AS IF ANY REASONABLE PERSON WOULD AGREE WITH HIM (OF COURSE); AND ONLY AN IDIOT WOULD SEE THINGS DIFFERENTLY!**

**I DON'T BELIEVE THAT IT REQUIRES AN IDIOT TO PRIORITIZE JUDICIAL INTEGRITY THROUGHOUT THE STATE OF TENNESSEE (WHICH HAS BEEN DESPERATELY LACKING FOR DECADES) AND HAVING A TRULY FAIR, EQUAL, AND IMPARTIAL TRIBUNAL! (AS IS CONSTITUTIONALLY REQUIRED TO HOLD ANY "COURT OF LAW"!)** OVER THE PERSONAL INTERESTS OF A JUDGE OR ANY ACCLAIMED "**SERVANT OF THE PEOPLE**".

**FOR ANYONE TO CLAIM THEY ARE ABOVE HUMAN FALIBILITY, TEMPTATION, THE NATURAL STRINGS OF THE HEART, IS BLASPHEMOSPHY!** WHILE THE JUDICIAL CANONS DEMAND A JUDGE PRIORITIZE THE INTEGRITY OF THE JUDICIARY OVER PERSONAL INTERESTS. **THAT'S THE JOB!** OTHERWISE, THERE ARE LOTS OF OPPORTUNITIES WORKING IN THE PRIVATE SECTOR!

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**WHO WAS THAT "OTHER JUDGE" WHO ENJOYED PARTIES & VACATIONS WITH ATTORNEYS?**

**OH YEAH, JUDGE MICHAEL W. BINKLEY'S "ALLEGED" FORMER BENEFACTOR!**

**DISGRACED CORRUPT NASHVILLE JUDGE CASEY MORELAND, WHO WAS ARRESTED BY THE FBI! (AS I EXPECT WILL EVENTUALLY BE THE CASE HERE, ESPECIALLY WITH WHAT I'VE SEEN!)**

**THE FACES CHANGE BUT THE GREED OF POWER AND THE LUST OF THE FLESH PERSISTS!**

*because we've been having parties, by God,*

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**THE CONSTITUTION OF THE STATE OF TENNESSEE**  
**ARTICLE IX. DISQUALIFICATIONS: SECTION 2. NO PERSON WHO DENIES**  
**THE BEING OF GOD, OR A FUTURE STATE OF REWARDS AND PUNISHMENTS, SHALL**  
**HOLD ANY OFFICE IN THE CIVIL DEPARTMENT OF THIS STATE.**

**MATTHEW 15:19 (NASB)**

**FOR OUT OF THE HEART COME EVIL THOUGHTS, MURDERS, ADULTERIES,**  
**FORNICATIONS, THEFTS, FALSE WITNESS, SLANDERS.**

**ROMANS 3:23 (AMP)**

**SINCE ALL HAVE SINNED AND CONTINUALLY FALL SHORT OF THE GLORY OF GOD.**

**ECCLESIASTES 7:20 (NASB)**

**INDEED, THERE IS NOT A RIGHTEOUS MAN ON EARTH WHO CONTINUALLY**  
**DOES GOOD AND WHO NEVER SINS.**

**TENNESSEE IS THE BIBLE BELT OR THE BINKLEY BELT?**

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In 2018, Williamson County Judge Michael Binkley told a crowd of lawyers that judges were under attack “for having parties” with attorneys.

**THE CONSTITUTION OF THE STATE OF TENNESSEE**  
**ARTICLE XI. MISCELLANEOUS PROVISIONS: SECTION 4. THE**  
**LEGISLATURE SHALL HAVE NO POWER TO GRANT DIVORCES; BUT MAY AUTHORIZE**  
**THE COURTS OF JUSTICE TO GRANT THEM FOR SUCH CAUSES AS MAY BE**  
**SPECIFIED BY LAW; BUT SUCH LAWS SHALL BE GENERAL AND UNIFORM IN THEIR**  
**OPERATION THROUGHOUT THE STATE.**

These statements of fact are about **Docket #48419B** filed on 6/4/2019, by **Story, Abernathy, & Campbell, PLLP** in **Williamson County Chancery Court**. The Courthouse is located at 135 4th Avenue South, Franklin, TN 37064. The Chancery Court Clerk & Master **Attorney Elaine Beaty Beeler** (BPR# 016583), the presiding Chancellor was **Judge Michael Weimar Binkley** (BPR# 005930), while my opposing Counsel was **Attorney Virginia Lee Story** (BPR# 011700) and **Attorney Kathryn Yarbrough** (BPR# 032789) with **Story, Abernathy, & Campbell, PLLP**.

The actions taken in Williamson County Chancery Court, were directly tied to, in coordination with, and allegedly based upon my ex-wife's **Chapter-13** bankruptcy action, **Case 3:19-bk-02693** in **The U.S. Bankruptcy Court for the Middle District of Tennessee**, found at 701 Broadway Ste 260, Nashville, TN 37203-3983. The Federal Bankruptcy Court Judge presiding was **Judge Charles M. Walker** (BPR# 019884). The Chapter-13 Trustee responsible was **Attorney Henry Edward Hildebrand, III** (BPR# 032168). While Bankruptcy Counsel for my ex-wife was **Attorney Mary Elizabeth Maney Ausbrooks** (BPR# 018097) and **Attorney Alexander Sergey Koval** (BPR# 029541) both of **ROTHSCHILD & AUSBROOKS, PLLC**.

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**REFERRING BACK TO THE PAGE PRIOR, TN CONST Art. XI, § 4:** The Legislature shall have no power to grant divorces; but may authorize the Courts of Justice to grant them for such causes as may be specified by law; **but such laws shall be general and uniform in their operation throughout the state.**

So, besides a whole lot of other reasons WHY our bad-faith, litigious ambush, lack of jurisdiction, almost exclusively "fraudulent narrative" (by Story), taken as if 100% FACT (by Binkley), showing incredible **BIAS** and **DISCRIMINATION** from the very start, which only got worse. Incidentally, rendering everything therein and thereafter **VOID**, not "voidable", of absolutely **NO LEGAL CONSEQUENCE**. "An attempt to enforce it **BEYOND THESE BOUNDARIES** is **NOTHING LESS** than **LAWLESS VIOLENCE!**" If you go by the Supreme Law of the Land, with the United States Supreme Court, rather than "**Plantation Law & Extortion by Binkley**".

**This cannot be ignored its fact recorded!** Judgment is a **void judgment** if court that rendered judgment **lacked jurisdiction** of the subject matter, or of the parties, or **acted in a manner inconsistent with due process**, *Fed. Rules Civ. Proc., Rule 60(b)(4), 28 U.S.C.A., U.S.C.A. Const. Amend. 5 -Klugh v. U.S., 620 F.Supp. 892 (D.S.C. 1985).*

The entire case was completely one-sided (not for my lack of trying to be heard), as I've invested over **10,000 hours** to date, with **over 1,000 pages filed** between County and State Courts, so far (without **ONE WORD** used to my benefit), while I still struggle to find anyone within the State of Tennessee (or Federally) who will actually **MAKE Judge Binkley and Attorney Story OBEY THE LAW**, their oaths of office, the Judicial Canons, Federal and State Constitutions, the Supreme Law of the Land, or the Rules of Judicial and Professional Conduct. (Even the "Board of Professional Responsibility" has **REFUSED TO FILE** my very serious **COMPLAINT** against Attorney Story, citing the improprieties between her and Judge Binkley, along with a half-dozen of their "friends". **Instead they mailed me a few fliers on "legal aid services" and threw my extensive complaint and 500-pages of clear & convincing evidence in their "no further action" file.**

**Williamson County Chancery Court Docket #48419B, along with all actions, allegations, and "orders" therein**, by both Judge Michael W. Binkley and Attorney Virginia Lee Story, is **ALSO purely UNCONSTITUTIONAL** per the Constitution of the State of Tennessee, in Art. XI § 4, as defined above. Because if nothing else, **#48419B CERTAINLY was NOT "GENERAL AND UNIFORM IN OPERATION THROUGHOUT THE STATE."** **Hence the Court lacked the authority to perform such bias, cruel and lawless actions!**

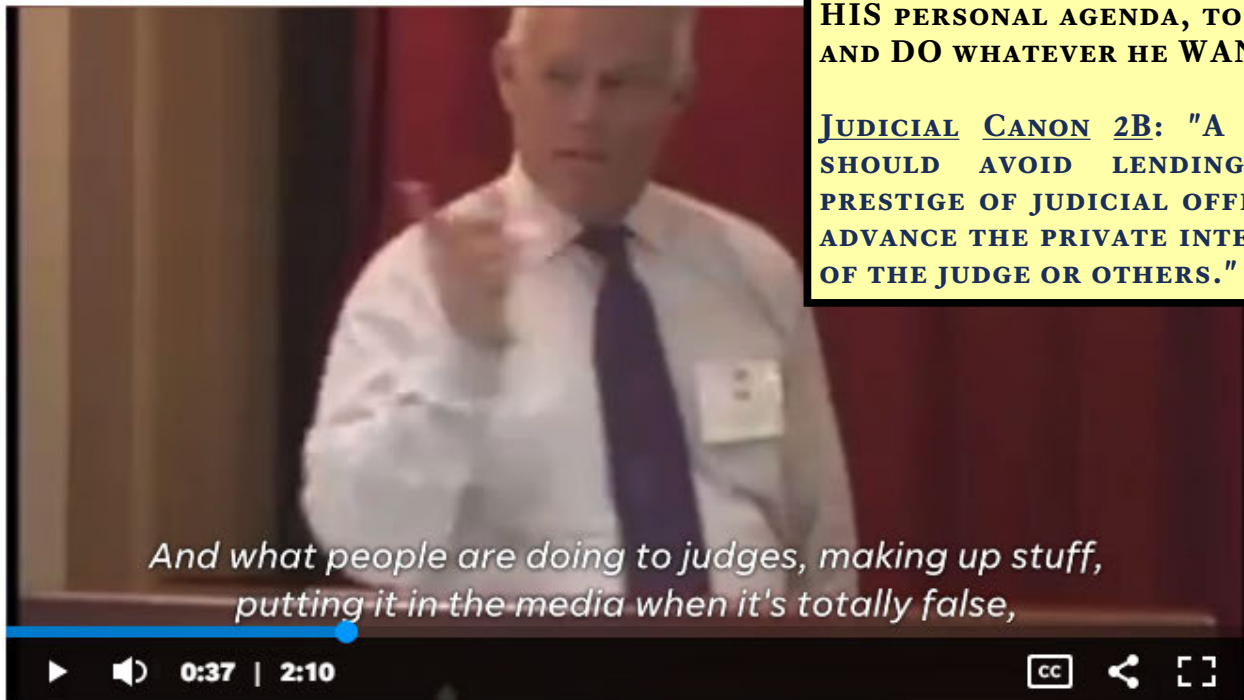
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**JUDGE MICHAEL W. BINKLEY IS MANIPULATING AND LYING TO PEOPLE AGAIN! USING OUR COURT PODIUM TO PROMOTE HIS PERSONAL AGENDA, TO PLAY AND DO WHATEVER HE WANTS!**

**JUDICIAL CANON 2B: "A JUDGE SHOULD AVOID LENDING THE PRESTIGE OF JUDICIAL OFFICE TO ADVANCE THE PRIVATE INTERESTS OF THE JUDGE OR OTHERS."**

*And what people are doing to judges, making up stuff, putting it in the media when it's totally false,*

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**AT TIMES A PICTURE IS WORTH A THOUSAND WORDS! THAT LOOK IS HATE! WHAT DOES JUDGE MICHAEL BINKLEY HATE SO MUCH?**

### THREE THINGS (APPARENT FROM THIS VIDEO RANT):

- 1.) Our **FIRST AMENDMENT** (which ironically he swore an oath to protect.)
- 2.) The **MEDIA...** who have the power to **EXPOSE** his indiscretions, when he acts badly!
- 3.) Worst of all: the **TAXPAYERS** who employ him, when they reach out to the media for **HELP**, after shockingly learning that the "Court" doesn't even pretend to treat people "**equally**", "**impartially**", or "**fairly**", as we were taught that it does. Nor did the "Court" act or show the slightest care about my "**Constitutional Rights**"! As if they didn't even exist!

While we can't find a single person within the judicial system or any supervisory boards (all funded by the taxpayers), who are willing to lift a single finger to help save our **LIVES!** Sometimes literally for **YEARS!** **Like ME.** Though never arrested in my life!

**THAT IS WHEN SOMEONE WHO IS NOT WILLING TO BE BULLIED & TRAMPLED ON ANY LONGER, HAS TO RISK THEIR LIVES, TO STAND-UP TO THESE MONSTERS, TRYING TO FORCE A JUDGE TO OBEY THE LAW, OR GET ARRESTED LIKE MORELAND!**

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**I CAN THINK OF VERY FEW THINGS MORE DISGRACEFUL, THAN A "JUDGE" THREATENING THE PEOPLE WHOM HE HAS SWORN TO PROTECT AND SERVE!**

If you can watch this VIDEO and still believe the "Binkley Bull", that "Judge" Michael W. Binkley is really a man of integrity and honor, who selflessly cares about and serves the PEOPLE of the State of Tennessee, equally and impartially, then I can't help you. I hate to say it, but you might deserve "Plantation Law"; which is based upon the "Master/Slave" relationship, not equality, impartiality, fairness. Instead it's about domination, power, and servitude at all COSTS!

I didn't DESERVE it though! I had NO IDEA how absurdly compromised the "judicial" system is within Middle Tennessee. I never had any problems with the "law", I took no interest in the "law", I believed what we were taught in grade school about the Declaration of Independence, the Constitution of the United States of America, about my inalienable human rights, along with our State and Federal Constitutional Rights, which we are so fortunate to have here in America!

Then I went into Court for a routine divorce, and learned that NONE of that provided me with ANY protection, without the POWER to literally FORCE the JUDGE to OBEY the LAW! Judge Michael W. Binkley allowed his close and trusted family friend, Attorney Virginia Lee Story, to fraudulently assassinate my character, to the point that she even depicted me as a SERIAL KILLER: "Wife would request... that Mediation be waived... Wife is concerned for her safety and for the safety of those participating in the Mediation process." (R.v1, Page 115, Paragraph 8). Honestly the TRUTH, my "Rights", the Constitution, any Federal or State Laws, the "Judicial Canons", Professional Conduct, basic ethics, fairness, equitable distribution, loss mitigation, ensuring that both parties can simply survive, meant NOTHING in that "Court"!

Incidentally, my ex-wife told me a year earlier that she didn't want "mediation", because she thought that she would get a more favorable Judgment, than we were advised was "FAIR" (with all factors considered), by a Financial Expert and "Collaborative Divorce" professional, we had previously hired. So she spent OUR money on an ARMY of Attorneys instead!

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**IN THE SLIDE ABOVE, JUDGE BINKLEY ADMITTED THAT HE HAS SEEN LAWYER(S) BEING UNETHICAL.** (Not surprising, probably every Judge has.)

THE "CONFESSION" COMES WHEN JUDGE BINKLEY ADMITTED,

**"I'VE NEVER TURNED IN A LAWYER IN MY ENTIRE CAREER."**

**THAT IS WHERE JUDGE BINKLEY BROKE THE RULES, BY HELPING TO HIDE IT!**

### **TENN. R. SUP. CT. 2.15 (RESPONDING TO JUDICIAL AND LAWYER MISCONDUCT)**

(A) A **judge** having knowledge that **another judge** has committed a violation of this Code that raises a substantial question regarding the judge's honesty, trustworthiness, or fitness as a judge in other respects **shall inform the appropriate authority.**

(B) A **judge** having knowledge that a **lawyer** has committed a violation of the Rules of Professional Conduct that raises a substantial question regarding the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects **shall inform the appropriate authority.**

(C) A **judge** who receives information indicating a substantial likelihood that **another judge** has committed a violation of this Code **shall take appropriate action. (This is one place where the COURT OF APPEALS grossly VIOLATED the RULES in my case!)**

(D) A **judge** who receives information indicating a substantial likelihood that a **lawyer** has committed a violation of the Rules of Professional Conduct **shall take appropriate action. (This is another place where the COA VIOLATED the RULES in my case.)**

Comment: [1] **Taking action to address known misconduct is a judge's obligation.** Paragraphs (A) and (B) impose an obligation on the judge to report to the appropriate disciplinary authority the known misconduct of another judge or a lawyer that raises a substantial question regarding the honesty, trustworthiness, or fitness of that judge or lawyer. **Ignoring or denying known misconduct among one's judicial colleagues or members of the legal profession undermines a judge's responsibility to participate in efforts to ensure public respect for the justice system.**

**LAWYERS MUST** also Report Both Judicial and Lawyer Misconduct: Tenn. R. Sup. Ct. 8.3 (REPORTING PROFESSIONAL MISCONDUCT).

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**ABOVE WHERE JUDGE MICHAEL W. BINKLEY SAYS:**

**"I'VE NEVER TURNED IN A LAWYER  
IN MY ENTIRE CAREER."**

**CORRECTING OR REPORTING MISCONDUCT IS NOT "OPTIONAL" FOR A JUDGE!**

**NOW THIS MAY SOUND HARSH, BUT HERE IS HOW I INTERPRET HIS CLAIMS:**

- 1.) I've never obeyed the Judicial Canons or the Rules of Professional Conduct.
- 2.) I let my "FRIENDS" lie, misquote and break the law, court orders... do whatever they want!
- 3.) I want to party and play games with Attorneys! I want all the respect and the power, of a Judge, without acting honorably, respecting the rights of others, or trying to remain impartial, "**fair**" (that's sometime in the fall...), and treating every person equally.
- 4.) **I go with my gut feelings about people.** Some of these deadbeats need to be **taught a lesson!**
- 5.) **I reign with an iron fist!** Constitution? **I AM THE LAW!** Conduct? **Get OUT of HERE!**

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**SEVENTY (70) EXAMPLES!** No, THAT DOESN'T SOUND LIKE A "BLACKMAIL LIST", THAT "JUDGE BINKLEY" KEPT IN HIS TOP DESK DRAWER FOR A "RAINY DAY", OR THAT HE PURCHASED FROM A "FRIEND", OR THEY GAVE HIM AS A SPECIAL "FAVOR"!

Judge Binkley admitted he NEVER turned in an Attorney IN HIS ENTIRE CAREER, until NOW, for a "Vendetta" no less, connected with an alleged Prostitution Sting he got Arrested in, and Expunged by a Convicted Felon.

Nah... this doesn't sound like "ORGANIZED CRIME", it's just another day at Court in Middle Tennessee! (Doesn't it ever get embarrassing?)

So WHY hasn't Binkley been IMPEACHED YET for his TESTIMONY in this VIDEO alone? Oh... that's right, he's "connected"! How much do you think the State of Tennessee should OWE ME for 2-years of idiocracy?

I must admit, I have the feeling that **Mr. Michael W. Binkley NEVER DESERVED to SIT in JUDGMENT OVER ME!** WHY has the SCARY, INTIMIDATING, THREATENING, CRIMINAL, who HATES others having RIGHTS and FREEDOM been allowed to CRIMINALLY EXTORT my SILENCE ABOUT HIS and ATTORNEY STORY'S CRIMES AGAINST ME AND MY FAMILY FOR OVER 2-YEARS NOW? While not one prestigious "Member of the Court" can scratch their head, and think that maybe my 10,000 hours worth of WORK, while not asking for a penny, just to GET FREE from 600-MILES AWAY, might actually have some MERIT?

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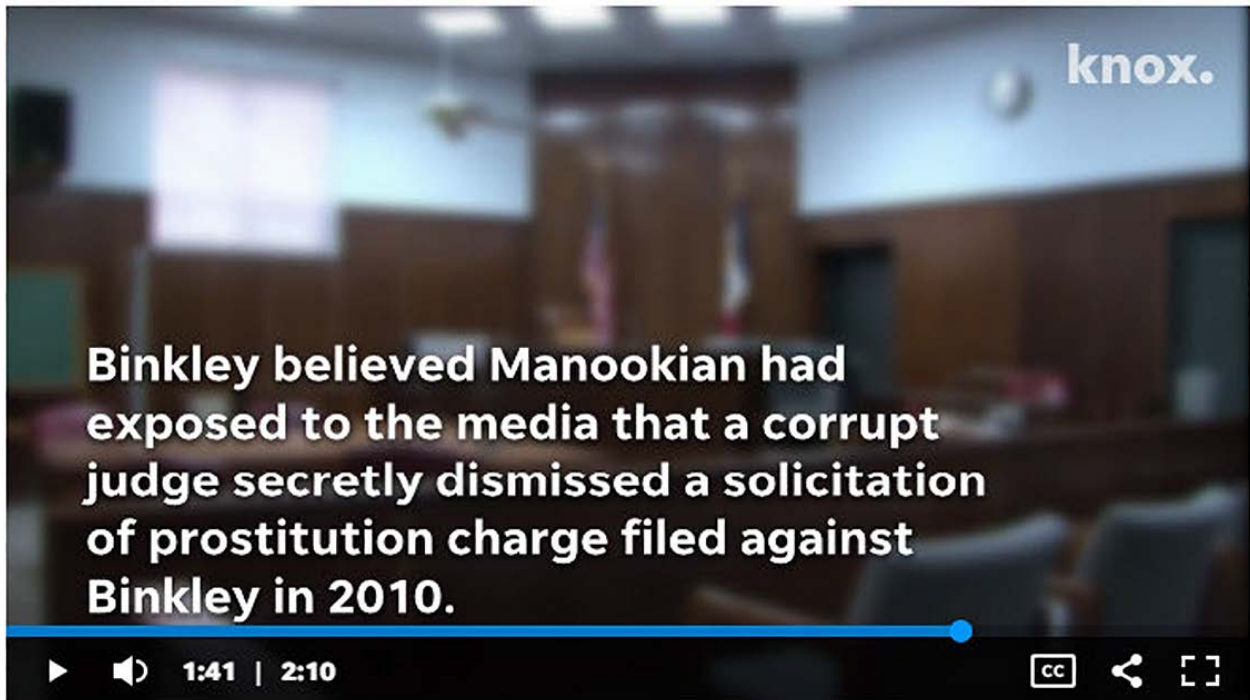
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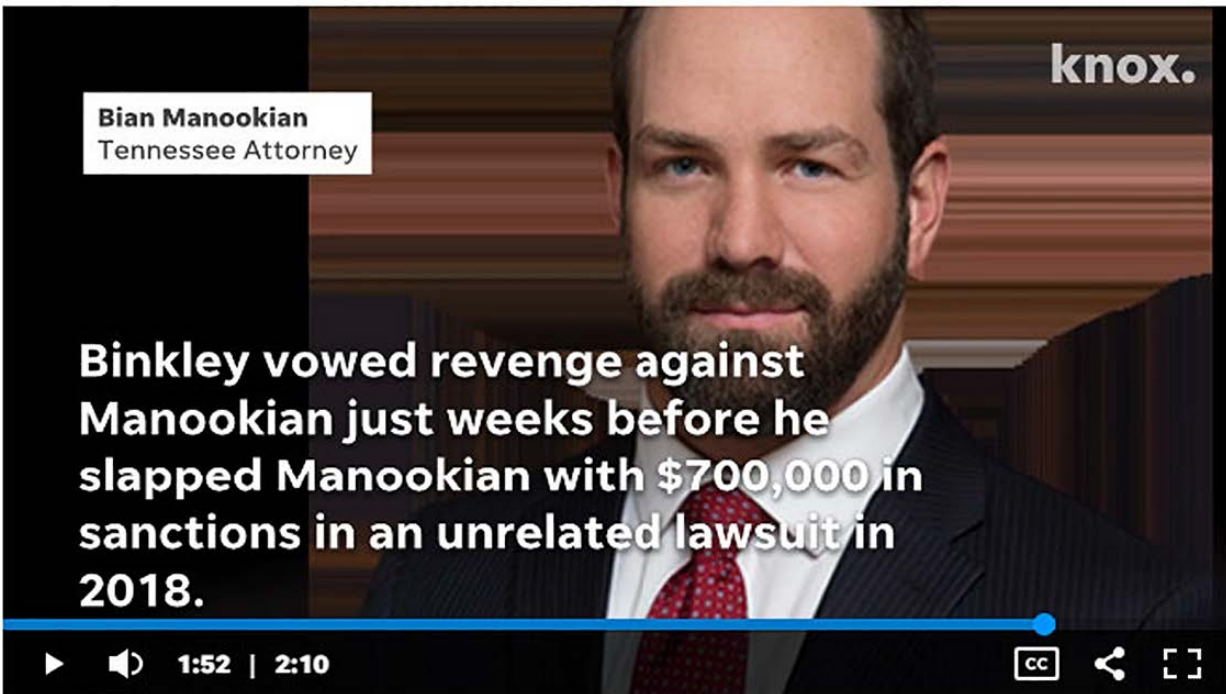
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A Tennessee judge vowed revenge just weeks before he slapped a lawyer with \$700,000 in sanctions in 2018. The sanctions order has now been struck down. *Angela M. Gosnell, Wochit*

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Vengeance, Circuit Court Judge Michael Binkley publicly and repeatedly vowed, would be his.

“My day will come,” Binkley told a courtroom of attorneys.

Just weeks later, it did, court records show.

Binkley slapped the attorney, Brian Manookian, and his legal partner with more than \$700,000 in sanctions in a hotly contested battle between warring lawyers in a lawsuit.

**CRIME & COURTS**

# Appeals court removes Tennessee judge from case with lawyer who revealed his secret arrest

**Jamie Satterfield** Knoxville News Sentinel

Published 10:00 p.m. ET March 21, 2021

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## Judge: 'Revenge is mine'

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### Former Nashville judge Casey Moreland

Former Nashville Judge Casey Moreland pleaded guilty in May, admitting he attempted to bribe an ex-paramour and that he conspired to steal from a program for recovering drug addicts.

Now, a state appellate court is booting Binkley off the bench in that case and striking down his sanctions order in an opinion that lays bare the very thing Binkley wanted to hide.

Binkley had been caught in a prostitution sting in 2010, two years before he was elected to the bench. But one of Tennessee’s most powerful judges — former Davidson County General Sessions Court Judge Casey Moreland — erased all record of it.

Emails show Williamson County judge, lawyer planned vacation together

IT'S NOT ABOUT MONEY OR DISCUSSING ACTIVE CASES, IT IS ABOUT THE FLAWS OF HUMANITY, THE UNCONSCIOUS STRINGS OF THE HEART, **THE FACT THAT THE KNOWN AND TRUSTED PARTY WILL ALWAYS HAVE AN ADVANTAGE OVER THE UNKNOWN**, ESPECIALLY WHEN THERE'S A LARGE DISPARITY BETWEEN CLAIMS!

# Tennessean.

WILLIAMSON

## How close can judges be with lawyers? Emails including Williamson Co. judge raise questions

**Elaina Sauber** The Tennessean

Published 5:00 a.m. CT Aug. 30, 2018

Williamson County Judge Michael Binkley sent an email to his wife in April 2016 to let her know a weekend lake trip organized for several judges and attorneys had been rescheduled to ensure the couple could attend.

"Looks like they made the lake party the second weekend so that you and I could be there. Very nice!! Put it on your calendar," Binkley wrote.

But the attorney who invited Binkley also had an active case before the judge in circuit court.

Three days before Binkley sent that email, the plaintiffs in a case he was overseeing, Sam and Shannon Clemmons, filed a motion asking the judge to recuse himself. Binkley later denied the motion.

One of the defense attorneys in the Clemmons' case, Virginia Story, invited Binkley, as well as his brother, Davidson County Judge Joe Binkley, on weekend trips in August 2015 and August 2016 featuring a houseboat, a lake house and dinners, according to emails obtained by USA TODAY NETWORK - Tennessee.

The Tennessee Administrative Office of the Courts refused to provide any emails about the trips, which were sent to or from judges' government-issued email addresses, claiming that the emails were not subject to inspection. This was in spite of the fact that the administrative office had previously produced some of those emails to another public records requester. The administrative office was specifically asked for those already-produced emails, but refused.

The lake trip emails sparked questions by the Clemmonses about whether judges can remain fair and impartial when presiding over cases while simultaneously vacationing with



Emails show Williamson County judge, lawyer planned vacation together

attorneys in those cases.

Attorney James Oglesby, who said he's attended the trips in past years, said they are held at Center Hill Lake, and confirmed Story — the defense attorney in the Clemmons' case — hosts them.

The emails didn't raise concerns for the Tennessee Board of Judicial Conduct, which is the state's sole authority for investigating and reprimanding sitting judges who violate judicial conduct rules.

In a letter sent to the Clemmonses in March, responding to their 144-page complaint about Binkley, board chair and Judge Chris Craft noted that proof of a judge's ethics violation must be "clear and convincing."

"The investigative panel did not feel such a burden could be met in this case," Craft wrote.

The complaint was dismissed.

Binkley did not return a request for comment.

WHENEVER YOU SEE AN ALLEGED "PUBLIC SERVANT", REFUSING TO COMMENT, IT IS THE SAME AS "PLEADING-THE-FIFTH", IN CIVIL COURT. IT MEANS THEY ARE PROBABLY GUILTY!

## 'You're going to get yourself into trouble'

It's unrealistic to expect a person to relinquish all their personal relationships with fellow attorneys once they become a judge, said Charles Geyh, an Indiana University law professor and expert in legal and judicial ethics.

But judges should be careful, Geyh said, if activities go beyond a casual lunch or social event.

Judges should never preside over cases when they're close friends with any of the attorneys involved, Geyh said.

"You start vacationing with people, and you're going to get yourself into trouble," he said. "It's not cool if it reaches the point of creating the perception that there are lawyers who have special access (to the judge)."

Tennessee judges must recuse themselves from presiding over cases in which their impartiality might "reasonably" be questioned, according to the state code of judicial conduct.

"People with whom you socialize actively, vacation with, enter business relationships with - there's nothing wrong with continuing to do that after (you become) a judge," Geyh said. "You just can't hear cases in which those lawyers make appearances before you."

Emails show Williamson County judge, lawyer planned vacation together

## 'Just something you do'

It's unclear how many attorneys and judges were invited to or attended the boating trips in 2015 and 2016. One email from Story about the 2015 trip was sent to Michael Binkley, Joe Binkley, Williamson County Judge Joseph Woodruff, and more than a dozen Williamson County attorneys.

Some attorneys who were included in the emails and contacted by The Tennessean for comment said they didn't think judges and attorneys vacationing together was an issue.

"I don't think it's any business the public needs to have. It's just something you do," said Lori Thomas Reid, a Franklin family law attorney who was included on one of the emails.

Attorney Michael Fort said the trips are harmless and likened them to events held by the Tennessee Bar Association or American Inns of Court, an organization comprised of local chapters of lawyers, judges and other legal professionals.

"I don't understand the concern about it," he said.

It's common for lawyers' families to accompany them on the trips, Fort said.

"It's not a place for conversation on cases. You've got kids running around and swimming and (water) skiing," he said. "It's a place to let that guard down a little bit and personalize everybody."

Oglesby echoed those sentiments, saying the trips are "purely a social thing."

Story did not return a call for comment.

## Judges required to report some gifts

When a judge won't recuse themselves from a case, it's rare for higher courts to overrule them, said Richard Flamm, a California-based attorney who has published books on judicial and lawyer disqualification.

"When it comes to disqualifying judges, there never seems to be enough of a reason," Flamm said. "There's very little case law you can find when moving to disqualify a judge."

It's unclear whether attorneys paid for any of Judge Michael Binkley's expenses on the 2016 lake trip. If they did, that could prove problematic.

**THE STATE OF TENNESSEE HAS NO LEGAL AUTHORITY OR JURISDICTION TO FORCE THE PEOPLE TO SUBMIT & PARTICIPATE IN A SYSTEMICALLY BIAS, PARTIAL, AND CORRUPT COURT SYSTEM! WE ARE AMERICAN CITIZENS!**

Emails show Williamson County judge, lawyer planned vacation together

"If the attorney inviting the judge is paying for the lodging and the judge's meals, then the judge is accepting gifts of more than ordinary social hospitality," Flamm said. "That's improper."

Tennessee judges are required to report to the Administrative Office of the Courts certain gifts they receive from outside parties, including attorneys.

For example, a judge must report gifts valued at more than \$250. A judge must also report money received from "extrajudicial activities," such as giving a lecture or speech.

Binkley reported that he didn't receive any gifts in 2016 or 2017, according to public compensation reports filed with the Administrative Office of the Courts.

Rule 10 of the Code of Judicial Conduct says judges may accept "ordinary social hospitality," but does not elaborate on what that includes.

In other states, judges cannot accept gifts or go on paid trips with attorneys who are involved in a case over which those judges are presiding.

Louisiana judge Robin Free accepted an all-expenses-paid trip on a private jet to a Texas ranch in 2010 that was organized and paid for by attorneys with a personal injury case before the judge at the time.

Four years later, the Louisiana Supreme Court determined Free had violated its code of judicial conduct, and suspended him for 30 days without pay and imposed a \$7,000 fine, according to *Reveal News*, with the Center for Investigative Reporting.

In May, county court judge Maria Ortiz in Miami, Fla., agreed to pay a \$5,000 fine for failing to report free hotel stays and gifts she and her husband received, according to the *Miami Herald*. Florida judges are required to report all gifts that could give the public reason to question their impartiality.

Reach Elaina Sauber at [esauber@tennessean.com](mailto:esauber@tennessean.com), 615-571-1172 or follow @ElainaSauber on Twitter.

**IF THE TENNESSEE BOARD OF JUDICIAL CONDUCT HAD USED A TINY BIT OF "6TH GRADE COMMON SENSE", OR SHOWED THE SLIGHTEST BIT OF CARE OR KNOWLEDGE ABOUT HISTORY, THE WORLD OVER, THROUGHOUT THOUSANDS OF YEARS, AND FIXED THIS ETHICALLY IN 2018, IT WOULD HAVE SAVED YEARS OF MY LIFE, AND WELL OVER A MILLION DOLLARS OF LOSSES IN MY LIFE ALONE! WHILE I KNOW THAT MANY OTHER PEOPLE AND FAMILIES HAVE LIKEWISE SUFFERED GREATLY FROM THIS PROFESSIONAL NEGLIGENCE (BORDERING UPON TREASON). REFUSING TO PRIORITIZE PROTECTING THE JUDICIAL INTEGRITY OF THE STATE OF TENNESSEE, OVER THE PLEASURES OF PLAYING "COURT" WITH THEIR FRIENDS! (ASK A HOMELESS PERSON, THEY'LL SHOW MORE ETHICAL FORTITUDE & "COMMON SENSE" THAN THE ELITE JUDICIARY HAS IN THIS AREA!)**

# Tennessean.

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WILLIAMSON

## Williamson County judge says there's nothing wrong with boat trips he takes with lawyers

Elaina Sauber The Tennessean

Published 6:00 a.m. CT Sep. 24, 2018

A Williamson County judge said he isn't doing anything wrong when he takes boat trips with lawyers, and he denied an attorney's emergency motion for time to try to learn more about the trips.

Judge Michael Binkley confirmed in emails obtained by the USA TODAY NETWORK - Tennessee that he would attend a three-day lake trip in 2016 with several attorneys, including one who had an active case before him at the time.

**More:** How close can judges be with lawyers? Emails including Williamson Co. judge raise questions

"If the public is as smart as everybody says they are, most people who have any common sense are going to say, 'What is wrong with judges and lawyers having fun together?' Nothing," Binkley said during an open court hearing on Aug. 30, the same day the USA TODAY NETWORK - Tennessee published a story about the Center Hill Lake trips.

Binkley, who didn't respond to a request for comment before that story published, said at the hearing he looks forward to the boat trips each year.

Virginia Story, the attorney who invited Binkley on the trip in 2016, had an active case before the judge in circuit court, which sparked questions about whether judges can remain fair and impartial when presiding over cases while simultaneously vacationing with attorneys in those cases.

Story, who attended the hearing where Binkley discussed the trips, said they were "benign."

"They are absolutely a blast," Binkley said. "I am with my friends, who are lawyers. Some family

members are there. We all, I think would agree 110 percent, have some of the best times we've ever had. It is so much fun.

"I pay for my own gas. I pay for my — whatever I pay for," Binkley said.

Binkley addressed the trips after attorney Connie Reguli filed an emergency motion to suspend the proceedings in a case involving her client, Sam Clemmons, until they could complete an open records request into the emails to learn the extent of the trips.

The judge denied that motion.

He stressed that there's nothing wrong with lawyers and judges having a good time outside of work, "as long as you're not doing anything improper."

"People can assume whatever they want to. That's their business. But we're not so stupid, irresponsible or violating rules and getting special treatment out on a lake house boat, where you're all sitting around having a good time," Binkley said.

Story, who represents the defendants in Clemmons' case, said the trips at Center Hill Lake are only one day, despite emails that show the trips spanned three days, from Friday through Sunday.

"I don't know of any other profession that has to (argue against) each other every day in court and be adversaries, and fight for your clients zealously, but then we expect them to go out and go to bar functions and seminars, and sit across the aisle from each other and be friends," Story said.

"There's no way you can do that unless you have a mutual respect for each other. Respect for the way that you represent your client, and respect for the way that you carry on your family life."

*Reach Elaina Sauber at [esauber@tennessean.com](mailto:esauber@tennessean.com), 615-571-1172 or follow @ElainaSauber on Twitter.*

Home > Feature Stories > Attorney Feature

# Trial Lawyer's Building It's in Their Blood: Virginia Lee Story



By Attorney at Law Magazine 📅 April 20, 2016

We sat down with Virginia Lee Story to discuss the law practice here in Franklin which has expanded to a practice with 12 attorneys since the inception in 1985. Story practices with Joanie Abernathy, Neil Campbell, Julia Stovall, Nick Harris, Steve Garner, Casey Ashworth, Diane Crosier, Katye Yarbrough, Nathan Luna & Jill Hudson.

**AALM:** Tell us about the founding of your office.

**Story:** Franklin, Tennessee is a wonderful town of growing families and businesses. When I graduated from Lipscomb University and started law school in Nashville, I began to migrate toward the Williamson County line to

work with our current clerk and master, Elaine Beeler and Mr. Dan Beeler.

I purchased a historic building in downtown Franklin. Unfortunately, an arson attack forced me to purchase my current location. In 2004, the new county courthouse – we call it the new courthouse even though it's now over 10 years old. I have been very lucky thus far in my real estate adventures and when the county announced that they were building the courthouse across the street from our law office, we were thrilled. We can now be in court in one minute.

Being a small town practice was my goal. I feel like I made the right choice for my family. My husband and I have owned Clean Earth Sanitation, Inc. and now are developing and building, Williamson County is the land of opportunity. Our children were educated in Williamson County Schools and Battle Ground Academy after grammar school which has shaped their career paths. The spiritual vibe of Williamson County has also been a source of strength for our family and my career.

**AALM:** What first drew you to the legal field?

**Story:** My father practiced law for 60 years in Kentucky. He took me to the courthouse with him when he prosecuted cases from age 12. He became the attorney for the county in condemnation proceedings acquiring the property known as the land between the lakes. While real estate law was never for me, my husband and I have been developing property for the last 10 years. I guess the real estate bug laid dormant for a time.

When I graduated from the Nashville School of Law, I was originally drawn to criminal law and did a fair amount of work in that area. As Williamson County became more of a family community, my practice began shifting toward family law. That has been my major focus for the past 25 years. I have been practicing in Williamson County for 31 years. The law has been my passion every day.

**AALM:** Tell us about your team.

**Story:** We have grown from two lawyers to 11. I have been practicing with my best friend, Joanie Abernathy, for more years than either of us care to admit. We met in law school. We have been fortunate to practice with a growing group of strong lawyers, including Neil Campbell, Julia Stovall, Nick Harris, Casey Ashworth, Diane Crosier, Steve Garner, Nathan Luna, Katye Yarbrough and Jill Hudson.

**AALM:** How do you and your partners balance running a business with practicing law?

**Story:** We are all autonomous in our practice. Each partner is their own boss. I do not dictate how they practice law, how many hours they work or their caseload. The attorneys and staff in our office are professionals and that is all I need to say about their balance. My balance is slightly weighted toward a workaholic but every year I say that I am going to find a better balance. Running a business came easy to me, I am frugal and therefore run a pretty tight ship on the overhead. The business part of the practice is time consuming but it is very worth it when you develop a system and are able to share a space with the nicest lawyers that provide a warm and productive environment in which to work.

**AALM:** Are there any cases that affected the way you approached the law?

**Story:** Yes, there were two high-profile criminal cases when I started in Franklin that shaped me as a lawyer. Both were murder trials and required a vast amount of dedication. They taught me to work hard, be prepared and something that perhaps cannot be taught, except by your parents, and that is to truly care about the clients you represent and their families but also about the victim's families.



**AALM:** As you look to the future, how do you see your firm evolving?

**Story:** I see our firm continuing to do what they do best and that is representing our clients to the best of our ability and if you do a good job then it is rewarded. We opened an office in Westhaven community in 2013 and I see that location as being a growth opportunity to serve the needs of clients.

**AALM:** Who are your legal heroes and how do you aspire to emulate them?

**Story:** My father, James E. Story taught me humility and how to practice law to the best of my ability. My mother, sisters and brothers keep me grounded. Growing up in a home with eight to 10 people at a time, only two small bathrooms and three bedrooms, certainly provided me with the tools I have come to use in my Rule 31 mediations. My best friend and partner for 30 years, Joanie Abernathy, has taught me that if you cannot say anything nice, don't say anything. There is no finer person that I know. She is genuine to the core. Justice Cornelia Clark, who was one of our circuit court judges when I began practicing, is so knowledgeable of the law and compassionate for her constituents. Her professional demeanor in everything she does is impeccable. Judge Don Harris and Judge Henry Denmark Bell both taught me to work hard and be prepared every day in court. If I was not prepared, they would sure let me know! They all inspire me as well as many others including my husband Richard Horn of 30 years who has supported my career tirelessly and our children who have sacrificed having a stay at home mom.



### **Attorney at Law Magazine**

Attorney at Law Magazine is a national B2B trade publication for and about private practice attorneys. The magazine focuses on the industry, its events, happenings and the professionals and firms that drive its success. The editorial is a collaboration of interviews with professionals, industry expert penned columns and articles about advancing your legal practice through marketing, practice management and customer service.

**Jeff Fenton**

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Wednesday, October 2, 2019 3:01 PM  
**To:** Jeff Fenton; Fawn Fenton; Virginia Story  
**Subject:** 1986 Sunny Side

Jeff,

Curious if you are in Tennessee gathering your personal property this week.

Sincerely,

Tommy Anderson

***Tommy Anderson, Broker/Realtor/Auctioneer***  
***HND Realty***  
***[www.HNDREALTY.COM](http://www.HNDREALTY.COM)***  
***(615) 969-5819***

## Jeff Fenton

---

**From:** [Virginia Story <virginia@tnlaw.org>](mailto:virginia@tnlaw.org)  
**Sent:** Friday, October 4, 2019 2:14 PM  
**To:** Jeff Fenton  
**Cc:** Heidi Macy; Kathryn Yarbrough; Tommy Anderson  
**Subject:** RE: Fenton v. Fenton

**Categories:** 5-Email: Present to Court

Jeff,

Please make sure that you have vacated the property by 10/5/19 at 12 noon with only the belongings that you listed to remove.

Thanks,  
Virginia



*Virginia Lee Story*  
*Attorney at Law*  
*136 Fourth Avenue South*  
*Franklin, TN 37064*  
*(615) 790-1778*  
*(615) 790-7468 fax*  
[Virginia@tnlaw.org](mailto:Virginia@tnlaw.org)

*\*\*Note\*\* This e-mail contains PRIVILEGED and CONFIDENTIAL information intended only for the use of the specific individual or entity named above. If you or your employer is not the intended recipient of this e-mail, or an employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any unauthorized dissemination or copying of this e-mail or the information contained in it is strictly prohibited. If you have received this e-mail in error, please immediately notify the person named above at once by telephone. Thank you.*

---

**From:** Jeff Fenton  
**Sent:** Saturday, September 28, 2019 1:52 PM  
**To:** Virginia Story <virginia@tnlaw.org>; elaine.beeler@tncourts.gov  
**Cc:** Heidi Macy <Heidi@tnlaw.org>; Kathryn Yarbrough <kyarbrough@tnlaw.org>  
**Subject:** RE: Fenton v. Fenton  
**Importance:** High

Hello Ms. Story,

**YES!**

## Jeff Fenton

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Saturday, October 5, 2019 5:15 PM  
**To:** Virginia Story  
**Cc:** Jeff Fenton; Heidi Macy; Kathryn Yarbrough  
**Subject:** Re: Fenton v. Fenton

Jeff,

Checking in to see if you will be vacated 1986 Sunny Side by 5pm today Saturday October 5, 2019.

Sincerely,

Tommy Anderson

---

On Friday, October 4, 2019, Virginia Story <[virginia@tnlaw.org](mailto:virginia@tnlaw.org)> wrote:

Jeff,

Please make sure that you have vacated the property by 10/5/19 at 12 noon with only the belongings that you listed to remove.

Thanks,

Virginia



*Virginia Lee Story*

*Attorney at Law*

*136 Fourth Avenue South*

*Franklin, TN 37064*

*(615) 790-1778*

## Jeff Fenton

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Sunday, October 6, 2019 12:24 PM  
**To:** Virginia Story  
**Cc:** Jeff Fenton; Heidi Macy; Kathryn Yarbrough  
**Subject:** Re: Fenton v. Fenton

Jeff my friend,

I will be coming by today after my son's bball game. I hope to see you gone by then, or other measures, not to your liking will be enforced. Time to move on.

Tommy Anderson

---

On Friday, October 4, 2019, Virginia Story <[virginia@tnlaw.org](mailto:virginia@tnlaw.org)> wrote:

Jeff,

Please make sure that you have vacated the property by 10/5/19 at 12 noon with only the belongings that you listed to remove.

Thanks,

Virginia



## Jeff Fenton

---

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Sunday, October 6, 2019 1:54 PM  
**To:** Virginia Story  
**Cc:** Jeff Fenton; Heidi Macy; Kathryn Yarbrough  
**Subject:** Re: Fenton v. Fenton

**Categories:** 5-Email: Present to Court

Jeff will be out by tonight. I just went by & met him & his mother at Sunny Side.

Tommy

---

On Sunday, October 6, 2019, Tommy Anderson <tom@tommyanderson.us> wrote:

Jeff my friend,

I will be coming by today after my son's bball game. I hope to see you gone by then, or other measures, not to your liking will be enforced. Time to move on.

Tommy Anderson

**Jeff Fenton**

**From:** Tommy Anderson <tom@tommyanderson.us>  
**Sent:** Sunday, October 6, 2019 6:35 PM  
**To:** Virginia Story  
**Cc:** Jeff Fenton; Heidi Macy; Kathryn Yarbrough  
**Subject:** Re: Fenton v. Fenton

**THE CLOSING FOR OUR HOME WASN'T FOR THREE MORE WEEKS, ON 10/29/2019, SO WHY WERE WE BULLIED SO MUCH? ATTORNEY STORY HAD NO LEGAL AUTHORITY! THEY HAD MONTHS WITH THE HOUSE BY THEMSELVES (WHILE MY STUFF WAS STOLEN)! WHY WAS I ONLY ALLOWED 5-DAYS WITH MY ELDERLY MOTHER TO BOTH PACK AND MOVE MY 2,500 SqFt HOME? WHO MADE STORY GOD? AND THE AUCTIONEER HER ENFORCER, I PAID? A GANG OF LAWLESS THIEVES & THUGS!**

Thank you Jeff for leaving with your possessions today. We drove by & you were headed out the driveway.

Sincerely,  
 Tommy Anderson

*Mail*

*Fenton*

**THIS INSTRUMENT WAS PREPARED BY**  
 Bankers Title & Escrow Corp.  
 5107 Maryland Way, Ste. 115  
 Brentwood, TN 37027  
 P19-10267A-BW

**STATE OF TENNESSEE**  
 COUNTY OF Williamson

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$ 324,360.00

*[Signature]*  
 Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 29 DAY OF October, 2019

*[Signature]*  
 Notary Public

MY COMMISSION EXPIRES: 11/3/20  
 (AFFIX SEAL)

**WARRANTY DEED**

ADDRESS NEW OWNER(S) AS FOLLOWS:			SEND TAX BILLS TO:			MAP-PARCEL NUMBERS		
GL Properties, LLC			GL Properties, LLC					
1986 Sunnyside Drive			101 Creekside Crossing #1700195			013J-A-035.00-000		
Brentwood, TN 37027			Brentwood, TN 37027					
(CITY)	(STATE)	(ZIP)	(CITY)	(STATE)	(ZIP)			

**NOTICE OF JUDICIAL VACANCY**

**Circuit Court, Division III  
21st Judicial District  
Williamson County**

Pursuant to Tenn. Code Annotated § 17-4-308(d), notice is hereby given that the Trial Court Vacancy Commission will meet in the 21st Judicial District to initiate the process of filling the vacancy in the Circuit Court, Division III, occurring on September 30, 2023, following the retirement of Judge Michael W. Binkley on September 29, 2023. The Commission will meet Thursday, August 31st in the Mayor and Aldermen Board Room in the Franklin City Hall located at 109 3rd Ave S., Franklin, TN 37064, at 9:00 a.m. CDT.

Applicants must be an attorney licensed in Tennessee who is at least 30 years of age, a resident of the state for five years, and must reside in the Judicial District. The Commission is committed to encouraging a diverse judiciary and welcomes all qualified attorneys to apply.

For an applicant to be considered for the judicial vacancy, the Administrative Office of the Courts must receive a completed application **by Wednesday, July 26, 2023 at 12:00 p.m. CST**. The application and instructions are available at <http://www.tncourts.gov/administration/judicial-resources>. A completed application includes: (1) the original signed (unbound) application; **and** (2) a digital copy of the application. The Commission encourages applicants to submit applications as soon as possible and communicate with the Administrative Office of the Courts to schedule hand-delivery or provide delivery tracking information for the original application to help ensure timely receipt by the deadline.

Any member of the public may attend the public hearing to express, orally or in writing, objections concerning applicant(s) for the judicial vacancy.

If you require an accommodation and/or have special needs because of a qualified disability, have questions about the Commission, or need to schedule hand-delivery or provide delivery tracking information for an application, please contact John Jefferson at the Administrative Office of the Courts at [John.Jefferson@tncourts.gov](mailto:John.Jefferson@tncourts.gov) or 615-741-2687.

This the 6th day of July, 2023.



## Williamson County Judge Michael Binkley to retire a year after reelection

Asked why he would retire a year after winning an eight-year term: 'Why not?'

BY MATT MASTERS

JUL 12, 2023

Williamson County Circuit Judge Michael W. Binkley will retire in September despite having been reelected to the bench just shy of one year ago.

Binkley, 72, is set to retire on Sept. 29, after serving 11 years on the bench and a 35-year career as a trial lawyer in private practice.

When asked why he would retire after campaigning for and winning re-election to the eight-year term in 2022, Binkley responded, "Why not?," adding that he has other things that he wants to do with his life.

"I have thoroughly enjoyed being a trial judge for the last 11 years," Binkley told *Post* sister publication *The News*. "I have really enjoyed serving the judiciary as well as serving the citizens of Williamson County. I have been honored to hold this position, and I've really enjoyed it. Going forward, I look forward to opportunities in my life, inside the law and, mostly, outside of the law."

In 2021, Binkley told voters and supporters that the role of judge "gives me the opportunity



Judge Michael Binkley addresses supporters at Franklin's Puckett's Grocery and Restaurant during a reelection campaign kick-off event for himself and fellow sitting Judges James Woodruff and Deanna Johnson.

Matt Masters

to do the right thing each and every time, and it's worked for me, and that's exactly what I intend to continue to do."

Binkley's time on the bench has not been without controversy after he was caught in a prostitution sting in 2010, two years before he became judge. Fallout from that incident has played out in the courts and through ethics complaints.

Binkley has also been the subject of the "Investigate Michael W. Binkley Circuit Court Judge" Facebook page, which was created in 2017.

According to the Tennessee Administrative Office of the Courts, applications to fill the judicial vacancy will be accepted until July 26, and on Aug. 31, the Trial Court Vacancy Commission will hold a public meeting in Franklin to discuss the vacancy and applicants.

A replacement will then be appointed by Gov. Bill Lee. The appointee will serve until the next general election, when voters will elect a replacement.

Qualified applicants must be licensed attorneys who are at least 30 years old who have been residents of the state for five years and are residents of the 21st Judicial District.

*This story was first published by our sister publication The News.*

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Matt Masters

# Supreme Court of Tennessee Blog

*A legal blog dedicated to covering the Supreme Court of Tennessee (and other interesting legal issues)*

## Tag Archives: Sandy Garrett



## The Tennessee Justice System Has a Bigoted Personnel Problem. Unfortunately, the Bureaucrats Responsible for Overseeing It Don't Care.

🕒 June 12, 2019   📁 First Amendment, Rules of Professional Conduct   📌 Daniel Horwitz, Sandy Garrett, Tennessee Board of Professional Responsibility

By [Daniel Horwitz](#):

It seems that almost every week now, government officials involved in Tennessee's justice system make headlines for their overt, unapologetic bigotry. In May of this year, for instance, Shelby County Criminal Court Judge Jim Lammey gained national attention after posting an article that [referred to Muslim immigrants as "foreign mud" and said that Jews should "get the f\\*\\*k over the Holocaust."](#) Weeks later, Coffee County District Attorney Craig Northcutt provoked an initial wave of outrage after posting (among other disqualifying nonsense) that [Muslims' "belief system is evil, violent and against God's Truth,"](#) only to outdo himself shortly thereafter when a video surfaced of him proclaiming that [gay couples don't enjoy constitutional rights and would not be protected by domestic violence statutes](#) within his jurisdiction. And today, [the Knoxville News Sentinel reports](#) that Knox County Sheriff's Detective Grayson Fritts recently declared that "federal, state and county governments should arrest, try, convict and 'speedily' execute people within the LGBTQ community" for participating in Pride parades.

These outrages are not isolated. They also are not surprising, given the shockingly indifferent way that such disqualifying conduct is treated by the bureaucrats who oversee Tennessee's justice system. And they will continue to occur over and over and over again until administrators like [BPR Chief Disciplinary Counsel Sandy Garrett](#) are replaced with competent, capable people who consider bigotry and misconduct by public officials at least as problematic as private attorneys loaning poor clients money so that they can pay their rent.

This is not an exaggeration. Tennessee's Board of Professional Responsibility—the shadowy, quasi-governmental body that regulates lawyers in Tennessee—has routinely turned a blind eye to racism and approached the absolute worst forms of misconduct with kid gloves under circumstances when the violators were participants in Tennessee's justice system. In 2014, for instance, a Shelby County District Attorney who was caught (and admitted) withholding exonerating evidence in a capital murder case received nothing more than a **public censure**. In other circumstances, misconduct in the form of **racist comments made by District Attorneys during prosecutions** were ignored by the body entirely. And indeed, **during an insane attempted power grab last year** that would have afforded the BPR wide-ranging authority to censor and prosecute a vast amount of constitutionally protected, private attorney speech, at Ms. Garrett's urging, the BPR itself sought to carve out a special disciplinary exemption for prosecutors who exercised racist preemptory challenges during jury selection.

By contrast, trivial violations that most reasonable people would not consider misconduct at all are met with fire and fury. For instance, in only the latest indication that Tennessee's BPR has lost both its purpose and its mind, the Board came down hard on one lawyer for what is apparently considered an egregious offense in this State: **Helping a poor client pay her rent**. Ultimately, the punishment he received was identical to the sanction that the BPR levied against the above-mentioned Memphis prosecutor who hid exonerating evidence in a capital murder case—a fact that says just about everything that needs to be said about the BPR, its judgment, and its priorities.

Most troublingly, though, Garrett's BPR has helped prevent serious misconduct by public officials from coming to light by aggressively prosecuting attorneys across the state for having the audacity **to speak up or speak out against judges**. Indeed, notwithstanding the absence of any conceivable harm to the public, there appears to be no surer way to guarantee severe professional sanction in Tennessee—including **summary, indefinite suspension**—than to stand up to a judge. Given this context, it is fair to wonder whether the culture of silence and censorship that Garrett's BPR fosters—whether deliberately or otherwise—serves to inhibit whistleblowing and **allows misconduct by public officials to fester unchecked for years**. Indeed, one wonders whether that's the point.

Year after year, bar associations and self-important bar leaders across Tennessee wonder aloud why the legal profession is consistently held in such low esteem by the general public. Curiously, the existence of bigoted judges and prosecutors, a **structurally inadequate indigent defense system**, and highly questionable behavior by professional regulators—both with respect to the way they treat practicing attorneys **and prospective lawyers**—never seem to come up as possible explanations. Certainly, the solutions sought by the BPR don't address any of the many legitimate reasons why the public would hold the entire legal system in low regard. Instead, to the exclusion of any justifiable priority, the approach of Tennessee's BPR has largely been to censor and prosecute lawyers who criticize governmental participants in a legal system that is failing daily.

Though few dare to challenge the BPR's behavior and priorities given credible fear of retaliation, it is past time that the BPR secured new leadership. As Garrett's BPR demonstrates year after year, the body quite simply lacks the judgment to oversee or regulate the practice of law in Tennessee. Having failed to do her job competently for long enough, the Tennessee Supreme Court should replace her. Alternatively, for the good of the profession, Garrett should do the honorable thing and resign.

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