

September 7, 2007

FOR PUBLIC RELEASE

The Honorable Clara W. Byrd
105 _ South Cumberland Street
P.O. Box 788
Lebanon, TN 37088-0788

RE: Complaint of Kasee Elkins v. Judge Clara W. Byrd
File No. 06-2657

Dear Judge Byrd:

This shall serve as a public letter reprimand pursuant to your agreement with the Investigative Panel of this Court.

The reprimand relates to your actions in failing to implement the mandate of the Court of Appeals of the Middle Section of Tennessee in the case styled IN RE: C.A.R. #M2005-02286-COA-R3-CV. The mandate of the Court of Appeals required the implementation of the Court of Appeals judgment which required you to “immediately restore custody to the mother pursuant to the permanent parenting plan in effect prior to the change of custody in August of 2005.” As a result of your failure to immediately follow the mandate, the mother of the child was required to expend additional attorney’s fees to go back to the Court of Appeals to implement their order.

The above-styled conduct violates Canons 2A, 3B(2) and 3B(8) of the Code of Judicial Conduct and further constitutes conduct that brings the judiciary into public disrepute under Tennessee Code Annotated §17-5-302(8).

Accordingly, this constitutes a public reprimand for your actions. In the future, you are to follow the Appellate Court mandates explicitly.

This the ___ day of September, 2007.

Don R. Ash
Presiding Judge
Court of the Judiciary

DRA:cg
cc: Investigative Panel
Disciplinary Counsel

