

Tennessee Judicial Nominating Commission

Application for Nomination to Judicial Office

Rev. 22 December 2011

Name: Alicia C. B. Widrig _____

Office Address: Citizens Plaza Building; 400 Deaderick Street; Nashville, Tennessee 37248
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INTRODUCTION

Tennessee Code Annotated section 17-4-101 charges the Judicial Nominating Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question, and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in word processing format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website <http://www.tncourts.gov>). The Commission requests that applicants obtain the word processing form and respond directly on the form. Please respond in the box provided below each question. (The box will expand as you type in the word processing document.) Please read the separate instruction sheet prior to completing this document. Please submit the completed form to the Administrative Office of the Courts in paper format (with ink signature) **and** electronic format (either as an image or a word processing file and with electronic or scanned signature). Please submit seventeen (17) paper copies to the Administrative Office of the Courts. Please e-mail a digital copy to debra.hayes@tncourts.gov.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Administrative Hearing Official, State of Tennessee Department of Human Services

2. State the year you were licensed to practice law in Tennessee and give your Tennessee Board of Professional Responsibility number.

2007 - 025887

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Pennsylvania

2006 – 203393

Inactive. Moved to Tennessee shortly after attaining my Pennsylvania license.

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

Not applicable.

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

Starbucks, January-May 2007: Barista, made and served coffee. Cleaned facility and took inventory.

Aubrey Givens & Associates, May – August, 2007: Attorney, represented clients in the family

law arena, including: divorce, child custody, grandparent visitation, and order of protection violations. Prepared divorce complaints, Marital Dissolution Agreements, child support worksheets, and documents relating to Guardianship before the Probate Court of Davidson County.

Rutherford County, August 2007 – March 2009: Law Clerk to the Honorable Royce Taylor, authored opinions and memorandums dispensing with issues involving: Rutherford County's liability when a healthy tree limb overhanging the roadway falls and injures a motorist; worker's compensation cases, notably analyzing constitutional law issues with regard to Nissan's Comprehensive Medical Evaluation policy and whether a physician's assignment of permanent restrictions can supplant into an award for a vocational disability, despite said physician's failure to place an impairment rating on a part of the body; and various family law issues. Prepared Judge Taylor's CLE presentation regarding changes in family law before the Rutherford County Bar Association for 2007 and 2008. Create power point presentation for all jury trials, laying out the instructions for the jury to consider.

State of Tennessee, Department of Human Services, March, 2009 – Present: Administrative Hearing Official, preside over appeals filed by clients of the Department of Human Services, individuals under the authority of Title IV-D, and employees of the State of Tennessee regarding issues such as: Medicaid, Food Stamps, Families First, Child Support (license revocation, administrative modification, paternity, treasury offset, and distribution), Intentional Program Violations, Child and Adult Care Program, and Level 4 Grievance hearings. Research and analyze laws, regulations, policies, and precedent decisions in application to cases heard. Issue written opinions for cases presided over. Handle a general appeal caseload of approximately twenty (20) appeal hearings per week.

6. If you have not been employed continuously since completion of your legal education, describe what you did during periods of unemployment in excess of six months.

Legal Aid Society of Middle Tennessee and the Cumberlands, August -November 2006: Volunteer, assisted in preparing a course outline and manual for a Continuing Legal Education (CLE) that was offered November 2006 regarding training to become a Best Interest Attorney for Children of Domestic Violence. Presented at the above CLE, regarding ABA standards that govern representation of children. The PowerPoint I created for the presentation is now being given by organizations across the country. Interviewed client's parents and used the information to create Parenting Plans and Child Support Orders.

7. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

Practicing under a judicial capacity, major component of employment consists of presiding over cases and authoring opinions (Initial Orders). While the capacity is considered administrative, seventy-five (75) percent being Medicaid, Food Stamps, Families First, Child and Adult Care Food Program, Star Rating for Day Care, Level 4 Grievance hearings, and Administrative Disqualification Hearings. Twenty-five (25) percent while also administrative is spent hearing child support cases. Jurisdiction is statewide however most cases involve individuals whom reside in Middle Tennessee and requires travel to hear in-person hearings in the counties comprising that area.

8. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters. In making your description, include information about the types of matters in which you have represented clients (e.g., information about whether you have handled criminal matters, civil matters, transactional matters, regulatory matters, etc.) and your own personal involvement and activities in the matters where you have been involved. In responding to this question, please be guided by the fact that in order to properly evaluate your application, the Commission needs information about your range of experience, your own personal work and work habits, and your work background, as your legal experience is a very important component of the evaluation required of the Commission. Please provide detailed information that will allow the Commission to evaluate your qualification for the judicial office for which you have applied. The failure to provide detailed information, especially in this question, will hamper the evaluation of your application. Also separately describe any matters of special note in trial courts, appellate courts, and administrative bodies.

I have handled criminal matters such as sentencing hearings and a criminal jury trial when working at the Butler County District Attorney's Office, Pennsylvania. Throughout my legal career as an attorney, law clerk, and Administrative Hearing Official I have authored many opinions, which requires great organization and time management. When in private practice, I met with clients and discussed their options concerning their particular legal issues, I offered legal routes and then acted upon the client's wishes. I appeared in court on behalf of clients in domestic violence cases, Irreconcilable Differences divorces, and a legal guardianship. In private practice and my current position I adhere to timeliness standard when replying to e-mail, correspondence, and telephone calls.

In my past position as a law clerk to the Honorable Royce Taylor I created an organization system for notes and power point presentations. Also I created a training system for all new law clerks to self-train. In my current position I have trained many individuals and have prepared information guides for when traveling to other counties for hearings and for tracking docket outcomes.

Further, in my current position I hear cases that involve pro se litigants as well as attorneys on a

variety of topics. When I was hired there was no training I was required to self-teach about all the programs offered by the Department of Human Services and child support enforcement cases. I am required to rule on motions during hearings and issue orders in a timely fashion.

9. Also separately describe any matters of special note in trial courts, appellate courts, and administrative bodies.

Not applicable.

10. If you have served as a mediator, an arbitrator or a judicial officer, describe your experience (including dates and details of the position, the courts or agencies involved, whether elected or appointed, and a description of your duties). Include here detailed description(s) of any noteworthy cases over which you presided or which you heard as a judge, mediator or arbitrator. Please state, as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) a summary of the substance of each case; and (4) a statement of the significance of the case.

State of Tennessee Department of Human Services, March 2007 – Present: Administrative Hearing Official. Appointed by Phil Bredesen, former Governor of the State of Tennessee. Aspects of the position explained above. Proceedings range from 30 minutes to two (2) days. Dockets are scheduled at least two (2) per week, which has resulted in 500+ hearings held and Initial Orders written.

Although outside the scope of my position as Hearing Official I hear Level 4 grievance hearings, which are not bound by the Administrative Procedures Act and are more akin to mediation. I am required to set the hearing, hear the witnesses, review the documents presented, and issue a recommendation to the Commissioner of the Department of Human Services concerning whether an employee of the Department of Human Services should have been disciplined.

11. Describe generally any experience you have of serving in a fiduciary capacity such as guardian ad litem, conservator, or trustee other than as a lawyer representing clients.

Not applicable.

12. Describe any other legal experience, not stated above, that you would like to bring to the attention of the Commission.

District Attorney's Office Domestic Violence Unit, Butler, Pennsylvania, January –May 2006: Certified Legal Extern, appeared on behalf of the Commonwealth at Summary Court, Preliminary Hearings, Indirect Criminal Contempt Hearings on Protection from Abuse Orders, Motions to Suppress Evidence, and DUI court. Prepared all aspects of a criminal jury-trial and

appeared on behalf of the Commonwealth as lead counsel, in which, the Defendant was convicted of reckless endangerment causing the Defendant to violate his Federal Probation for threatening the President of the United States. Researched and analyzed state and federal issues, electronically and manually, regarding Domestic Violence and criminal prosecution. Prepared legal briefs covering the admission of prior bad acts evidence, expert testimony, the Post Conviction Relief Act, and restitution.

13. List all prior occasions on which you have submitted an application for judgeship to the Judicial Nominating Commission or any predecessor commission or body. Include the specific position applied for, the date of the meeting at which the body considered your application, and whether or not the body submitted your name to the Governor as a nominee.

Not applicable.

EDUCATION

14. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

Thomas M. Cooley Law School, Lansing, Michigan

Juris Doctor, August 5, 2003-May 20, 2006

- Certificate in Litigation
- Dean's List
- Trial Workshop Teaching Assistant
- Professional Responsibility Tutor
- Phi Delta Phi, Maher Inn

Washington & Jefferson College, Washington, Pennsylvania

Bachelor of Arts Degree in German and Political Science, August 1999-May 2003

- Kappa Alpha Theta
- Study Abroad: Munich, Germany, January 2003; German language proficient.

PERSONAL INFORMATION

15. State your age and date of birth.

May 13, 1981

16. How long have you lived continuously in the State of Tennessee?

Approximately five (5) years, eleven (11) months

17. How long have you lived continuously in the county where you are now living?

Approximately five (5) years, eleven (11) months

18. State the county in which you are registered to vote.

Davidson.

19. Describe your military Service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

Not applicable.

20. Have you ever pled guilty or been convicted or are you now on diversion for violation of any law, regulation or ordinance? Give date, court, charge and disposition.

Not applicable.

21. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

Not applicable.

22. If you have been disciplined or cited for breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group, give details.

Not applicable.

23. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

No collection proceedings have ever been filed with any court. However, my identity was stolen in 2003 and the individual had multiple credit cards taken out in my name. All charges were disputed with the credit card companies and credit bureaus. American Express is the only creditor that continues to send correspondence attempting to collect the disputed debt.

24. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

Not applicable.

25. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

Not applicable.

26. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

South Nash Dash, Steering Committee; May, 2009. Original committee member to a South Nashville organization that plans a yearly 5K. The South Nash Dash event seeks to bring members of the South Nashville community together and all monies collected go to a charity of the committee's choosing.

Metro Codes NOTICE ("Neighborhoods Organized To Initiate Code Enforcement"), Committee member; July 2012 - Present.

27. Have you ever belonged to any organization, association, club or society, which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.

- a. If so, list such organizations and describe the basis of the membership

limitation.

- b. If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

Not applicable.

ACHIEVEMENTS

28. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices, which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

Rutherford Cannon County Bar Association 2007 – Present.

29. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional accomplishments.

Special Agent Trainee, Federal Bureau of Investigation; December 2008. Was offered employment with the FBI as a Special Agent and presented at Quantico, Virginia for training.

30. List the citations of any legal articles or books you have published.

Not applicable.

31. List law school courses, CLE seminars, or other law related courses for which credit is given that you have taught within the last five (5) years.

Daymar Institute, Rutherford County; August 10, 2010. Presented a two (2) hour lecture on the Rules of Evidence and issued a pop quiz to individuals in the criminal justice program. Was subsequently offered employment as a professor, which was declined.

32. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

Not applicable.

33. Have you ever been a registered lobbyist? If yes, please describe your service fully.

Not applicable.

34. Attach to this questionnaire at least two examples of legal articles, books, briefs, or other legal writings which reflect your personal work. Indicate the degree to which each example reflects your own personal effort.

Each example attached is a pure reflection of my work product. Although each document is varied concerning topic of law and style, it lends itself to a wide variety of legal knowledge and my ability to hear different cases and apply the necessary law/regulation.

ESSAYS/PERSONAL STATEMENTS

35. What are your reasons for seeking this position? *(150 words or less)*

In watching the 2012 Summer Olympics, I watched an interview with a United States cycling Olympian. The Olympian interviewed had a wonderful job in New York City as an Investment Banker and was highly successful. However, she wished to pursue a dream being a cyclist at the highest level. The Olympian left her comfortable job for a dream, the achievement of which was uncertain. While my current position as an Administrative Hearing Official has many of the same attributes as the position sought and it is a job in which I excel. There are opportunities, which come along only in a great while to challenge oneself and leave your comfort zone. This position is one of those opportunities. Working in this new judicial capacity will be fulfilling and challenging. I accept and welcome the demands, and will succeed.

36. State any achievements or activities in which you have been involved which demonstrate your commitment to equal justice under the law; include here a discussion of your pro bono service throughout your time as a licensed attorney. *(150 words or less)*

In moving to Tennessee in August 2006, I wanted to ingrain myself not only into the legal community but the community as a whole. In volunteering with the Legal Aid Society, an organization that embodies equal justice under the law in offering legal services to those whom cannot afford to hire private counsel, I assisted the employees in any way I could. I worked with client's in crafting Parenting Plans, answered client questions, and worked as described earlier on a CLE regarding representation of children.

37. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*

The 16th Judicial District is comprised of a growing community, in terms of number of people,

ethnic groups, and socio-economic classes. While some of Rutherford and Cannon counties remains rural much of the community has changed with the growth of Middle Tennessee State University and The Avenue in Murfreesboro, with new businesses and hospital. A diverse community should reflect diversity when looking at the elected or appointed officials of that community. In considering civil cases, and the varied individuals whom come before the court an individual must understand the cultures that appear before it. I would seek to ingrain myself into the Rutherford and Cannon county communities and learn from the individuals in the community. While I would be the youngest and only female among the current sitting Circuit/Chancery judges in the 16th Judicial District these two (2) attributes would not be impediments but benefits and a reflection of the District.

38. Describe your participation in community services or organizations, and what community involvement you intend to have if you are appointed judge? *(250 words or less)*

In addition to volunteering with the Legal Aid Society, I was an original committee member of the SouthNashDash 5K. The event was intended to be a community wide event to encourage neighbors in South Nashville to meet one another and support local business. The money raised from the event was to be donated to an individual. After the first year the event was revamped into a for-profit race. While I still volunteer at the yearly race there is no longer a committee. Additionally, I recently volunteered to be part of a new group to Lenox Village, a community in South Nashville, being Metro Codes NOTICE (“Neighborhoods Organized To Initiate Code Enforcement”). The group’s purpose is to protect individuals from violations of the Metro Code, which could lead to a dangerous situation. If appointed, I would also seek to serve the Rutherford/Cannon county community. When clerking for Judge Taylor he was often asked to come speak at events and act as a guest judge at mock trial competitions. I too would welcome any opportunity to speak to students or groups about the legal field or assist students with their education.

39. Describe life experiences, personal involvements, or talents that you have that you feel will be of assistance to the Commission in evaluating and understanding your candidacy for this judicial position. *(250 words or less)*

Many individuals experience adversity, mine came in the form of my Mother’s stroke when I was seventeen (17) years old and a senior in High School. My Mother became paralyzed on her left side and endured a long hospital stay and physical therapy outside of the home. That event forced me to become self-sufficient and to be another individual’s caretaker. That self-sufficiency has carried me to many paths one of which I am particularly proud was an offer of employment as a Special Agent with the Federal Bureau of Investigation. The interview process is unrivaled and one I cannot discuss because all candidates are required to keep all matters confidential other than information posted for the general public. In training for the FBI’s physical fitness test I became interested in running and physical fitness in general. I still run but I also participate in the Insanity fitness program and zumba, dance class. Self-sufficiency, confidence, and a steady work ethic are some of the attributes I have gained from the above experiences and are a great asset to any position.

40. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. (250 words or less)

In my capacity as an Administrative Hearing Official I have heard many Appellant's testify, "if you take away my Medicaid you will kill me." Most individuals whom apply for public assistance are in dire need and have medical conditions that without proper care and medication will cause the condition to worsen and ultimately death. However, at the present time there are not many categories of TennCare Medicaid that are open to adults without dependent children. In particular, I heard an appeal from a female client of the Department of Human Services whom had breast cancer and was covered under TennCare Medicaid category Z, being the breast and/or cervical cancer category of Medicaid. However, her coverage was terminated because she was not receiving active treatment for breast cancer. While the Appellant's breast cancer was in remission she suffered from other serious conditions, which required monthly treatment. I was bound by the law to terminate the Appellant from the TennCare Medicaid program because her cancer was in remission and she did not qualify for any open category. As a person I felt for this individual but as an Administrative Hearing Official I followed the rules and regulations that govern the Medicaid program. I would certainly bring that same level of professionalism and care of the law to the judgeship of the 16th Judicial District.

REFERENCES

41. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A. Ms. Daphne A. Davidson, IV-D Attorney for the 20 th Judicial District State of Tennessee; [REDACTED]
B. Ms. Mary Glenn Hartup, Hearing Officer [REDACTED]
C. Major Christopher Hyde, [REDACTED]
D. Ms. Angela Sellers, Administrative Assistant to the Honorable Royce Taylor [REDACTED]
E. Ms. Ashley N. Thomas, Administrative Hearing Official [REDACTED]

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the 16th Judicial District Circuit Court of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and

