



THE GOVERNOR'S COUNCIL FOR JUDICIAL APPOINTMENTS

Summary of the Nomination Process and Instructions for Application Questionnaire

1. CONSTITUTIONAL AND STATUTORY QUALIFICATIONS FOR JUDICIAL POSITIONS:

The Governor's Council for Judicial Appointments nominates individuals to fill vacancies and impending vacancies in the appellate and trial courts pursuant to State of Tennessee Executive Order No. 41. Residency requirements for these positions are both constitutional and statutory.

Supreme Court judges must be residents of the state for five years before their election. Tenn. Const., Art. VI, Sec. 3; T.C.A. § 16-3-101(c). No more than two members of the Supreme Court may reside in any one of the grand divisions of the state. Tenn. Const., Art. VI, Sec. 2; T.C.A. § 16-3-101. Each candidate shall reside in the grand division for which the candidate is elected and the two at large judges cannot reside in the same grand division. T.C.A. § 16-3-101(b). A judge of the Supreme Court shall be thirty-five (35) years of age. T.C.A. § 17-1-101.

Judges of inferior courts, which include the intermediate appellate courts and state trial courts, must have been residents of the state for five years before their election and of the circuit or district for one year before their election. Tenn. Const., Art. VI, Sec. 4; T.C.A. § 16-4-102; T.C.A. § 16-5-102. Of the twelve judges of the Court of Appeals and Court of Criminal Appeals, no more than four may reside in one grand division. T.C.A. § 16-4-102 and T.C.A. § 16-5-102. Each state court judge and chancellor must reside in the judicial district for which the judge or chancellor is elected. T.C.A. § 17-1-102. Each judge shall be at least thirty (30) years of age. T.C.A. § 17-1-101. Each judge shall be licensed to practice law. T.C.A. §§ 16-4-102 and 16-5-102.

2. INSTRUCTIONS FOR COMPLETING APPLICATION FORM

a. State of Tennessee Executive Order No. 41 charges the Governor's Council for Judicial Appointments with assisting the Governor and the people of Tennessee in finding and appointing the best and most qualified candidates for judicial offices in this State. Please consider the Council's responsibility in answering the questions in this application questionnaire.

b. Please read the introduction and instructions on the first page of the application questionnaire.

c. Please type all answers. The application is available in word processing format on the Administrative Office of the Courts' website: www.tncourts.gov

d. Please answer all application questions completely. If a question does not apply, type "Not applicable" in the space provided. If information is not available, type "Not available" and state your reason(s) for the unavailability.

e. The original application form should be unbound and printed only on one side of the paper. Any attachments should be copied front and back. You must also submit one (1) digital copy with electronic or scanned signature via email to debra.hayes@tncourts.gov, or via another digital storage device such as flash drive or CD.

f. Applications and questions must be submitted to:

The Governor's Council for Judicial Appointments
c/o Administrative Office of the Courts
ATTN: Debbie Hayes
Suite 600, Nashville City Center
511 Union Street
Nashville, TN 37219
(615) 741-2687

g. Application packages are public record once they are filed with the Administrative Office of the Courts.

3. TENNESSEE BUREAU OF INVESTIGATION (TBI) LEVEL II SECURITY CLEARANCE APPLICATION

a. The applicant also must complete a Tennessee Bureau of Investigation (TBI) Level II Security Clearance Application. The application is available online from the TBI's website at <https://www.tn.gov/tbi/article/tbi-security-clearance-applications>. The TBI security clearance is not to be turned in with the Applicant Questionnaire, but should be brought to the interviews.

b. If you are one of the three nominees selected by the Council and forwarded to the Governor for his consideration, you will be required to submit your Tennessee Bureau of Investigation Level II Security Clearance Application immediately following the announcement of the nominees at the conclusion of the meeting.

4. SUMMARY OF THE NOMINATION PROCESS

a. State of Tennessee Executive Order No. 41 requires at least one public meeting/hearing at which the Governor's Council for Judicial Appointments considers the applicants for the judicial nominations to the Governor. The date, time, and location of the public meeting of the Council will normally be given in the notice of the vacancy, but may be

given in a separate notice. You may visit the website of the Administrative Office of the Courts or call Debbie Hayes at the Administrative Office of the Courts to check the time and location of the public meeting. The hearings, interviews and voting of the Council are open to the public and the public may arrange through the Administrative Office of the Courts to submit oral or written statements concerning individual applicants.

b. Applicants and those supporting the applicants may contact the Governor's Council for Judicial Appointments members personally. The contact information for the members of the Governor's Council for Judicial Appointments may be found [here](#).

c. Applicants are notified of the date, time, location, and format of the interview by the Administrative Office of the Courts.

d. Applicants are evaluated in order to fulfill the purposes set forth in the State of Tennessee Executive Order No. 41. The Council has determined that an integral part of fulfilling its duties includes consideration of at least the following criteria: integrity, impartiality, industry, legal knowledge and ability, legal experience, temperament, and public service. This list is not exhaustive. Each applicant should take care to inform the Council of the individual items that applicant feels best demonstrate the applicant's qualification for the judicial position sought.

e. Applicants eliminated from consideration for nomination are notified as soon as possible after that decision is made.

f. Typically, the names of three (3) nominees are submitted to the Governor for each vacancy. The nominees are listed in alphabetical order without any indication of preference by the Council.

g. The names of nominees forwarded to the Governor are made public by the Governor's Council for Judicial Appointments. The application packages of those nominees are also forwarded to the Governor for review by the Governor and the Governor's staff.

h. All trial court and Appeals Board appointments made pursuant to Executive Order No. 41 shall be effective on the date the vacancy occurs or on the date of appointment if the vacancy has already occurred. All appellate court appointments shall be effective upon confirmation in accordance with Article VI, Section 3 of the Tennessee Constitution.