

**Tennessee Judicial Nominating Commission**  
***Application for Nomination to Judicial Office***

*Rev. 25 August 2011*

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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](mailto: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.

Attorney.

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

1995. BPR No. 17395

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.

1. Tennessee, BPR No. 17395
2. District of Columbia, BPR No. 457542

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).

No.

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).

1. Legal Fellow, Reporters Committee for Freedom of the Press, Rosslyn, VA (1995-1996)
2. Law Clerk, Office of General Counsel, Gannett/USA Today, Rosslyn, VA (1996-1997)
3. Editor and Writer, *The Tennessean*, Nashville, TN (1997-1998)
4. Attorney, self-employed, Franklin, TN (1998-Present)

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.

N/A

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.

1. Criminal defense, state and federal courts (50%)
2. Civil litigation (libel defense, personal injury, contracts) (40%)
3. Probate (10%)

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.

In 14 years of solo practice, I have had 11 jury trials and more bench trials than I can count. I have tried cases in Williamson County, Davidson County, Marshal County, before state and federal juries. I have successfully defended a homicide charge (pretrial diversion granted) and likewise successfully prosecuted a civil wrongful death action. I have made appearances in at least 20 of Tennessee's 95 counties.

My criminal practice has taken me to all three divisions of Tennessee's federal court system,

and to federal courts in Kansas City, MO, and Baton Rouge, LA. I have conducted oral arguments in the Tennessee Court of Criminal Appeals and in the Sixth Circuit Court of Appeals.

As a member of the Criminal Justice Act Panel in the Middle District of Tennessee since 2005, I have taken dozens of cases in behalf of indigent defendants. I also have a healthy private caseload.

My emphasis would be on the quality of the jury cases. At my most recent jury trial was in December 2010, I represented an F.B.I. Agent charged in the U.S. District Court for the Middle District of Tennessee with wire fraud, bank fraud and bankruptcy fraud. I put together a team of three lawyers, an investigator and two experts, and we spent around 6 months going over 14,000 documents of government discovery and talking to witnesses. The extremely contentious trial lasted 10 days. The jury convicted on the bankruptcy and wire fraud counts, but hung on the bank fraud count. What I believe to be a very strong appeal is pending in the Sixth Circuit.

In a jury trial in Williamson County in 2008, a jury acquitted my client of a felony charge of introducing contraband into a penal institution.

I admit that my record in the courtroom has improved only as I have gotten older and grayer.

Because of my background in the media and in First Amendment issues, I have had the privilege of defending libel actions against a state legislator as well as against a local Tea Party organizer. A memorandum of law that I wrote in the latter case is attached as one of my writing samples. The court granted summary judgment in that libel claim, and the defendant later dismissed the rest of his claims.

I am a neophyte as a politician, however I did have the fortune of winning my first campaign for public office in the May 2010 Williamson County Republican Primary. Only two days after the biblical flooding of Nashville and environs, I pulled off an upset of the Williamson County Commission Chairman – by six votes! A friend later quipped that this was “not exactly a mandate.” A win is a win. And I have most thoroughly enjoyed my service as a Williamson County Commissioner. It has opened my eyes to the possibilities in public service.

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

In the only appeal I have filed in the Tennessee Court of Appeals, *Dolan v. Poston*, 2005 Tenn. App. LEXIS 631 (Tenn. Ct. App. Sept. 29, 2005), the Court of Appeals reversed the judgment of the Davidson County trial court and remanded the case for further proceedings. A copy of my appellate brief in that case is attached as another writing sample.

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.

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.

When I began practicing as a solo in 1998, I was appointed guardian ad litem in a petition for conservatorship involving a 40-year-old lady suffering early onset of dementia. She lived at home with her elderly mother. This was virtually my first “case”. Sadly, the young woman died only a few years after I met her and visited her home. But I have remained in touch with and very close to her mother. I call her “my first client,” though she was not *really* my client. Her name is B.J. Moss and she is a treasure. Betty Jean (“BJ”) Moss is among the persons whom I listed as a reference. She manned a voting precinct with one of my campaign signs in May 2010 during my successful bid for a County Commission seat in Williamson County.

I was appointed to numerous guardianships in the Williamson County Juvenile Court during the first several years of my practice. I am grateful to the judges who appointed me to these cases for their trust, including General Sessions Judge Al Nations, whom I have listed as a reference. These appointments typically involved children who were either neglected or unruly or both. I spent a great deal of time with these kids. I remember especially taking a walking tour some time around 2000 with one of my kids at the Tennessee Baptist Children’s Home on Franklin Road in Brentwood.

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

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.

N/A

**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.

University of Virginia College of Arts and Sciences (B.A., 1990)

University of Tennessee College of Law (J.D. 1995)

Dean's Citation for Extraordinary Contributions to the College of Law (University of Tennessee, 1995); This award was in appreciation for a bluegrass band composed of law students (and one professor!) We called ourselves *Learned Hand*.

**PERSONAL INFORMATION**

15. State your age and date of birth.

Forty-three. May 2, 1968.

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

Fourteen years.

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

Fourteen years.

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

Williamson.

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.

I received an R.O.T.C. Scholarship to attend the University of Virginia as an undergraduate. After I graduated, I attended the Transportation Basic Officer Course at Fort Eustis, Virginia (1991).

I served as a reserve officer and platoon leader with the 212<sup>th</sup> Transportation Unit in Chattanooga, TN, while I was in the College of Law School at the University of Tennessee. (1993-1995). I was honorably discharged as a First Lieutenant in July, 1999.

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.

No.

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.

No.

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.

N/A

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.

In 2010, the State of Tennessee executed a tax levy on my business for about \$1,000 because of my failure timely to file a Franchise and Excise Tax Return. It was my error.

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

No.

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.

No.

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.

Williamson County Commission (2010-Present)  
Franklin Citizens Advisory Committee (2007)  
Member, Big Harpeth Primitive Baptist Church. (1999-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.
- If so, list such organizations and describe the basis of the membership limitation.
  - 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.

No.

### **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.

Tennessee Bar Association (I have been a member on and off for 14 years)  
Williamson County Bar Association (2011)  
Tennessee Association of Criminal Defense Lawyers (2009)

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.

Appointed by the Federal Defender's Office (Nashville, TN) to the Criminal Justice Act Panel of private area lawyers qualified to take appointed criminal cases involving indigent clients. (2005-Present)

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

None.

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.

None.

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.

Williamson County Commissioner, Elected August 2010 for a four-year term.

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

No.

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.

1. Appellant's Brief (*Dolan v. Poston*). I wrote this brief. It obtained a reversal of the Davidson County Trial Court.
2. Memorandum of Law in Support of Summary Judgment, *Hemrick v. Phillips*, Williamson County Circuit Court. This memo of law is an antithesis of Sample 1 in that it involves the defense of a libel claim. Sample 1 involves the prosecution of a libel claim.

**ESSAYS/PERSONAL STATEMENTS**

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

I think the progression from trial lawyer to judge is an organic one. I have been in and out of courtrooms now for nearly 15 years and have seen good judges and bad ones. I think I could be one of the good ones. While there are many qualities that make a bad judge, I believe the qualities that make a good judge are common to all good judges: intellect, curiosity, humor, patience, decency and humility. I promise this Commission that I will strive to cultivate all of these qualities in myself.

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)*

I do strive every day to make myself available to the indigent and under-represented. I believe that this is evident in my work as a CJA Panel lawyer, and the pro bono work I have done for the Nashville Bar. (I recently represented an individual pro bono in a civil case filed against him in Williamson County for allegedly having been involved in a gunfight where the plaintiff suffered gunshot wounds. The case against my client was dismissed)

On a daily basis, I estimate a third of my phone calls are with people who cannot pay me. I believe this is part of the life and duty of every lawyer. Daily, we must pleasantly surprise. We must leave strangers and friends with renewed respect for us and our profession.

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 21st Judicial District includes Williamson, Hickman, Lewis and Perry Counties. It includes the fast-paced communities and economies of Brentwood and Franklin and some more rural, sparsely populated areas with very different dockets. The character of Cool Springs is vastly different from that of Hohenwald. I would like to say that I am comfortable in both settings. As a fisherman, I have spent a pretty good deal of time in the hinterlands of our district.

Our current panel of Judges includes Robbie Beal, Jim Martin and Tim Easter. I have had jury trials in front of Judge Beal and Judge Easter (my first trial). I have argued in front of Judge Martin. I believe I could make a positive impact on the workload for the other judges and would certainly be ready to help in any way necessary. My attitude would be one of deference to the other judges as to where I was needed.

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)*

I was appointed by in 2005 by Franklin Mayor Tom Miller to serve on Citizens Advisory Committee to meet with subcommittees of the Board of Mayor & Alderman and to discuss issues of importance to Franklin residents. I live and work in downtown Franklin and have been involved and spoken at various meetings about quality of life topics. I am a strong advocate of a walking culture, walking trails and infrastructure for every neighborhood in Williamson County whose geography allows.

In or around 2002, I got a petition together to change the name of the street I live from “Liberty Pike” to “Old Liberty Pike” when the city expressed a plan to change the name to Lancaster Drive. This petition was approved by the Board of Mayor and Alderman.

As a judge, I would be particularly interested in mentoring programs for young lawyers and even students. I have always tried to be of help to younger lawyers and currently have two lawyers with whom I work quite a bit. During the first few years of my practice, I participated as a “judge” in our local high school mock trial programs put on by the Williamson County Bar Association. I would like to get more involved in that. I believe that to be a terrific way to reach out to the community.

I am also very proud of and would support the 21<sup>st</sup> Judicial District’s Drug Court. I have witnessed the program do great things in the lives of struggling drug addicts, young and old.

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)*

Beginning in February 2010, I undertook my campaign for a Williamson County Commission Seat. In the evenings after work, my wife and I went door to door in the Tenth District of Williamson County talking to anybody kind enough to listen. We knocked on hundreds of doors. What surprised and galvanized me most about the humbling act of cold knocking on doors was how warm and receptive the people were. The truth revealed to me in this experience was that people welcome a chance to discuss their community, their government, their lives.

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)*

I firmly believe that judges, lawyer and litigants live with the law. They do not make it. At least not to the extent that the law is black letter and statutory in nature. The role of making the law is reserved to our legislature and should not be usurped by the judiciary. This is fundamental and it goes to making our democracy work. A court’s understanding and recognition of its limits is also key to fostering respect for its decisions.

The practicing lawyer’s place in this is somewhat different from that of the judge. However,

a lawyer seeking to advance a position must still and always be truthful with the court about the state of the law. In countless arguments, I have sought to acknowledge law that was contrary to my own position. That is an ethical duty.

In my own criminal practice, I have found the federal sentencing statutes frustrating and sometimes unduly harsh. There is no use in shedding tears about this. My federal clients and I must live with these statutes. It is up to Congress to address these problems. And in spite of my disagreements with some of the policy choices reflected in the sentencing statutes, I find much more abhorrent the act of judicial legislation, effectively usurping our elected legislators. In short, legislation from the bench is a dangerous threat to our system of government.

**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. Hon. Al Nations, Williamson County General Sessions Judge, (615)790-5609
B. Hon. Thomas Taylor, Fairview City Judge, (615)794-0807
C. Betty Jean Moss, "first client," retired, Franklin resident, (615)794-3106
D. Brian Kelsey, Attorney, State Senator, (901)428-2442
E. Margaret Martin, Franklin Alderman, (615)7942113

**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 Circuit Court, 21<sup>st</sup> Judicial District, 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 the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: 21 September, 2011.

s/ Travis Hawkins

Signature

When completed, return this questionnaire to Debbie Hayes, Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.



**TENNESSEE JUDICIAL NOMINATING COMMISSION**

511 UNION STREET, SUITE 600  
NASHVILLE CITY CENTER  
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY**

**WAIVER OF CONFIDENTIALITY**

I hereby waive the privilege of confidentiality with respect to any information which concerns me, including any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, and I hereby authorize a representative of the Tennessee Judicial Nominating Commission to request and receive any such information.

George Travis Hawkins  
Type or Printed Name

s/Travis Hawkins  
Signature

09/18/2011  
Date

017395  
BPR #