

**Tennessee Trial Court Vacancy Commission**  
***Application for Nomination to Judicial Office***

1/31/19

Name: JEFFREY A. VIRES

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**INTRODUCTION**

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy 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 [www.tncourts.gov](http://www.tncourts.gov)). The Commission requests that applicants obtain the word processing form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) **Review the separate instruction sheet prior to completing this document. Submit by the noon deadline date an original (unbound) completed application (with ink signature) to the Administrative Office of the Courts.** In addition, submit a digital copy with electronic or scanned signature via email to [cesha.lofton@tncourts.gov](mailto:cesha.lofton@tncourts.gov), or via another digital storage device such as a flash drive.

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

**PROFESSIONAL BACKGROUND AND WORK EXPERIENCE**

1. State your present employment.

Attorney, Patton & Hyder, Crossville, TN

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

1990/014518

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.

TN/014518/Licensed in Sept 1990/Active

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).

Attorney-at-Law

**Patton & Hyder**, Crossville, Tennessee. Criminal Law, Family Law, Wills/Estates/VA Disability and Personal Injury (December 2017-Present)

**Vires Law**, Crossville, Tennessee. Criminal Law, Family Law, Wills/Estates, VA Disability and Personal Injury (September 2015-December 2017)

Associate

**Bean, Smith and Burnett**, Crossville, Tennessee. Criminal Law, Family Law, VA Disability and Wills/Estates (October 2010-September 2015)

-President, Cumberland County Bar Association (April 2013-14)  
-Vice-President, Cumberland County Bar Association (May 2012-13)  
**Cecil W. Laws, Attorney at Law**, Bristol, Tennessee (December 1990-January 1991)  
**Gillenwater & Laws**, Bristol, Tennessee (November-December 1990)

Litigation Attorney Managing attorney of a regional labor law center. Represented the Air Force in labor-management relations, equal employment opportunity, and civilian personnel law cases. Defended the Air Force in litigation affecting crucial civilian personnel policies. Advised commanders, supervisors, the Air Staff, and the Secretariat on civilian personnel law and labor relations. Represented the Air Force before the EEOC, MSPB and FLRA, as well as participating in ADR.

**Labor Field Support Center-Eglin Regional Office**, Eglin Air Force Base, Florida  
(September 2007-October 2010)

Policy Advisor Provided military oversight of private security contractors operating under DoD contracts in Iraq. Liaison with Congressional committees, Department of State and Iraqi Government.

**Armed Contractor Oversight Branch, Multi-National Force-Iraq**, Baghdad, Iraq  
(February-September 2009)

Staff Judge Advocate Managing attorney for deployed legal office providing full-spectrum legal services for a variety of criminal/civil matters. Worked complex international legal issues arising from collision between USAF and Kyrgyz commercial aircraft; provided assistance to all levels of inquiries: AIB, SIB and ICAO investigations. Advised U.S. Ambassador on Kyrgyz jurisdiction over servicemember, use of force, and Foreign Claims Act after shooting by U.S. servicemember generated interest at highest levels of U.S. and Kyrgyz Governments.

**376 Air Expeditionary Wing**, Manas Air Base, Kyrgyzstan (September 2006-January 2007)

Labor Law Attorney Legal advisor to commanders, directors and supervisors on handling civilian employee adverse actions, Equal Employment Opportunity (EEO) complaint mediations, and union negotiations over employment conditions. Management representative at EEO administrative hearings and state Unemployment Insurance Appeal Board cases. Legal office liaison to security forces squadron, providing guidance on issues unique to DoD civilian police.

**SMC/JA**, Los Angeles Air Force Base, California (July 2005-August 2007).

Deputy Chief, General Law Division-United States Air Force Advises ARPC Commander, ARPC staff agencies, and commanders Air Force-wide on military justice and administrative actions involving reservists. Prepares cases for discharge, gathers evidence, contacts witnesses, and prepares affidavits to present during board hearings. Manages legal office involvement in the screening and separation of officers in the Inactive Status List Reserve Section. Advises on mobilization and demobilization.

**HQ Air Reserve Personnel Center/JA**, Denver, Colorado (August 2002-July 2005).

-Selected as 2003 HQ ARPC Staff Officer of the Year.

Chief, Appellate Defense Counsel-United States Air Force Provides management and direction of 22 member staff. Represents appellants before the Air Force Court of Criminal Appeals, the U.S.

Court of Appeals for the Armed Forces, and the Supreme Court of the United States. Presents oral argument and written briefs before appellate courts. Assigns all cases to counsel and monitors division workload. Provides trial defense counsel with instruction at Area Defense Counsel Orientation Course and circuit workshops.

**Air Force Legal Services Agency/JAJA**, Bolling Air Force Base, D.C. (July 1999-August 2002)

Deputy Staff Judge Advocate-United States Air Force Principal assistant to Staff Judge Advocate (SJA) in delivery of legal services to wing commander, 5 group commanders, 25 squadron commanders, and all first sergeants of the Wing. Prosecutes trials by courts-martial. Conducts Article 32, UCMJ pretrial investigations. Serves as Legal Advisor and Recorder in administrative discharge hearings. Advises commanders and first sergeants on disciplinary and administrative actions, operations law, and civil law matters. Principal legal advisor for all ethics issues arising under the Joint Ethics Regulation. Primary legal advisor to Wing Inspector General. Manages in-house attorney training program for 7 lawyers. Serves as SJA in absence of incumbent.

**347 Wing/JA**, Moody Air Force Base, Georgia (June 1997-June 1999). Appointed Special Assistant United States Attorney (October 1997-1998)

Area Defense Counsel-United States Air Force Represents members facing interrogation; Article 32, UCMJ investigations; pretrial confinement hearings; summary, special and general courts-martial; and all post trial and clemency matters. Serves as respondent's counsel in involuntary discharge, demotion, and nonjudicial punishment proceedings; flying evaluation, physical evaluation, and medical credentials boards; and all other adverse personnel actions in which counsel is authorized or required.

**USAF Judiciary/ADC**, Patrick Air Force Base, Florida (January 1995-May 1997)

**Detachment QD7H/ADC**, Andersen Air Force Base, Guam (June 1994-January 1995)

Assistant Staff Judge Advocate-United States Air Force

As Chief, Civil Law, responsible for legal reviewing of all civil law subjects, including FOIA/Privacy Act requests and Line of Duty determinations. Review administrative adverse actions in civilian misconduct cases. Handles all administrative discharge actions. Management responsibility for Legal Assistance and Environmental Law programs. Serves as recorder to administrative discharge boards, trial counsel in courts-martial, and Article 32, UCMJ Investigating Officer.

As Chief, Military Justice, is responsible for supervising all courts-martial and Article 15, UCMJ actions. Provides counsel to commanders and first sergeants on proposed disciplinary actions. Legal representative for base urinalysis program. Trial counsel in courts-martial; government representative in Article 32, UCMJ investigations; recorder in administrative discharge boards. Serves as Assistant Claims Officer in reviewing transportation claims and researching tort claims. Supervises enlisted paralegals.

**633 Air Base Wing/JA**, Andersen Air Force Base, Guam

-Chief, Civil Law (January-June 1994)

-Chief, Military Justice (June-December 1993)

**92 Bomb Wing/JA**, Fairchild Air Force Base, Washington

As Chief, Military Justice, is responsible for supervising all courts-martial and Article 15, UCMJ actions. Provides counsel to commanders and first sergeants on proposed

disciplinary actions. Legal representative for base urinalysis program. Trial counsel in courts-martial; government representative in Article 32, UCMJ investigations; recorder in administrative discharge boards.

As Claims Officer, supervises one civilian claims examiner and two paralegals assigned to the claims division. Supervises the investigation and adjudication of claims for and against the government and personally investigates more complex claims. Acts as trial counsel in general and special courts-martial and represents the government in administrative discharge boards.

As Chief, Legal Assistance and Preventive Law Division, administers legal assistance program providing proactive and reactive legal services to a client base numbering more than 20,000 active duty members, retirees, and dependents.

-Chief, Military Justice (March-June 1993)

-Claims Officer (May 1992-March 1993)

-Chief, Preventive Law/Legal Assistance (April 1991-May 1992)

6. 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.

Criminal (75%)/Family (20%)/Other (personal injury, etc.)/5%

7. 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.

During my career as an Air Force JAG, I spent 15 years either prosecuting or defending cases at the trial and appellate level. I spent five years as a Labor Law attorney, representing the Air Force before the Equal Employment Opportunity Comm'n and Merit Systems Protection Board

8. Describe any matters of special note involving your practice in trial courts, appellate courts, and administrative bodies.

Have prosecuted/defended in excess of 100 criminal trials. Selected to give presentations on trial advocacy.

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

10. List and describe all prior occasions on which you have submitted an application for any state or federal judicial position.

Not applicable.

**EDUCATION**

11. 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.

King College, Bristol, TN (1983-85) (reason for leaving? Transfer to UT to complete undergraduate studies); University of Tennessee (1985-87), Political Science, with Honors; University of Tennessee Law School (1987-90), JD

**PERSONAL INFORMATION**

12. State your date of birth.

1965

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

1965-1991; 2010-present

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

October 2010-present

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

Cumberland

16. 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.

See answer to #5 above.

Branch of service: USAF.

Dates of active duty: January 1991-January 2011.

Rank at separation: Major.

Decorations: Defense Meritorious Service Medal, Meritorious Service Medal with 2 OLC, AF Commendation Medal with 3 OLC, AF Outstanding Unit Award with 1 OLC, Air Force Organizational Excellence Award with 2 OLC, National Defense Service Medal with 1 service star; Iraq Campaign Medal with 1 service star, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, AF Overseas Ribbon/Short Tour with 1 OLC, AF Overseas Ribbon/Long Tour, Air Force Expeditionary Service Ribbon with Gold Border and 1 OLC, AF Longevity Service with 4 OLC, AF Training Ribbon

Honors: 2003 HQ ARPC Staff Officer of the Year

Honorable Discharge

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

NO

18. 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

19. Please identify the number of formal complaints you have responded to that were filed against you with any supervisory authority, including but not limited to a court, a board of professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

Not applicable.

20. 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

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

NO

22. 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.

Divorce. Probate & Family Court for Cumberland County, Tennessee. Case No. 2016-PF-5324. Filed on October 17, 2016 (irreconcilable differences). Final Decree signed December 19, 2016. *Subsequently remarried to same person on November 15, 2017*

23. 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.

American Legion Post 163  
Crossville Breakfast Rotary (President, 2012/13; Board Member)  
Elks Lodge 2751  
VFW Post 5025



St Raphael Episcopal Church

24. 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**

25. 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; Tennessee Association of Criminal Defense Lawyers; National Association of Criminal Defense Lawyers; Cumberland County Bar Association (President, 2012)

26. 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.

Not applicable.

27. 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.

**ESSAYS/PERSONAL STATEMENTS**

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

For almost 30 years, I have practiced in the field of criminal law, either as a prosecutor or defender, at both the trial and appellate level.

I believe justice depends not only upon the law, but on who is interpreting and applying the law. A judge should have experience in the field of adjudication; I have almost 3 decades of experience in criminal matters, both as a prosecutor and a defense counsel. The right to receive a fair trial is important, of course, to a criminal accused, but is equally important to the State as well. My experience as a lawyer, and especially my experience on both "sides" of the criminal justice system, makes me well-qualified to serve.

29. 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)*

Criminal Court Judge for the 13<sup>th</sup> Judicial District.

30. 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)*

A judge must be able to separate his or her personal feelings, beliefs, and biases in ensuring the law is upheld. It is the judge's role to interpret and enforce the laws promulgated by the legislature, regardless of his or her personal feelings. An example of an instance when I've enforced a law even if I've disagreed with the substance of the law is when I've represented the Air Force in discharge proceedings against airmen based upon their sexual orientation. During my period of service, homosexuality was a bar to continued military service, and service members identifying as homosexual were discharged, regardless of their contribution to the mission. My personal belief that a person's contribution to the mission should be based on individual merit and not sexual orientation did not prevent me from representing the Air Force in discharge boards on that matter.

**REFERENCES**

31. 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. Jonathan Hamby, Attorney, [REDACTED]
B. James Smith Jr, Attorney, [REDACTED]
C. Villa Edwards, Practice Administrator, Plateau Pediatrics, [REDACTED]
D. David Rose, Attorney, [REDACTED]
E. Bryce McDonald, Producing Director, Cumberland County Playhouse, [REDACTED]

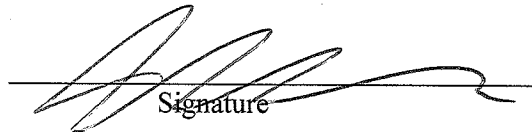
**AFFIRMATION CONCERNING APPLICATION**

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

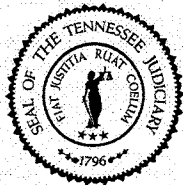
I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the Criminal Court, 13<sup>th</sup> Judicial District of Tennessee, and if appointed 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: April 18, 2014.

  
Signature

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



**TENNESSEE TRIAL COURT VACANCY COMMISSION**  
**ADMINISTRATIVE OFFICE OF THE COURTS**  
511 UNION STREET, SUITE 600  
NASHVILLE CITY CENTER  
NASHVILLE, TN 37219

**TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY**  
**TENNESSEE BOARD OF JUDICIAL CONDUCT**  
**AND OTHER LICENSING BOARDS**

**WAIVER OF CONFIDENTIALITY**

I hereby waive the privilege of confidentiality with respect to any information that concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and 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, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the State of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Trial Court Vacancy Commission to request and receive any such information and distribute it to the membership of the Commission and to the Office of the Governor.

\_\_\_\_\_  
JEFFREY ALLEN VIRES

\_\_\_\_\_  
Signature

\_\_\_\_04/08/2019\_\_\_\_\_  
Date

\_\_\_\_014518\_\_\_\_\_  
BPR #

Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.
