

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

04/15/16

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(including county)

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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 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 [debra.hayes@tncourts.gov](mailto:debra.hayes@tncourts.gov), or via another digital storage device such as flash drive or CD.

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

**PROFESSIONAL BACKGROUND AND WORK EXPERIENCE**

1. State your present employment.

I am a partner at the law firm Rogers, Berry, Chesney & Cannon, PLLC.

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

I was licensed to practice law in Tennessee on May 25, 2001. My Board of Professional Responsibility Number is 21169.

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.

I am only licensed to practice law in Tennessee.

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).

I have been employed at Rogers, Berry, Chesney & Cannon, PLLC continuously since January of 2009. I practice primarily in the area of family law litigation. I am also a Rule 31 Listed Mediator, so a portion of my practice includes mediation in the area of family law. I was employed as a sole practitioner at The Law Offices of Margaret M. Chesney, PLLC from July of

2007 through December of 2008. I practiced only in the area of family law litigation. From February of 2006 through June of 2007, I was employed as a senior associate at Crone & Mason, PLC. I was employed in the Family Law Section of that firm, practicing family law litigation. From January of 2003 through January of 2006, I was employed as an associate, then a senior associate, at Wyatt, Tarrant & Coombs, LLP. I practiced primarily in the area of commercial litigation, including insurance defense, tort law, contract disputes, and complex litigation. I also maintained a small family law practice. From May of 2001 (when I became licensed in Tennessee) through December of 2002, I was employed as an associate at Pounders Coleman. I practiced primarily in the area of family law.

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.

My present practice is centered in family law litigation. I represent clients in all aspects of family law, from preparing antenuptial agreements and postnuptial agreements, representing clients in adoption proceedings, representing clients in divorce proceedings, representing clients in post-divorce proceedings, representing Juvenile Court clients in dependency and neglect proceedings, visitation proceedings, and child support proceedings. I am also a Rule 31 Listed Mediator, specially trained in domestic violence issues, and act as a mediator in family law cases as well as in Juvenile Court mediations. I estimate that ninety percent of my practice is family law litigation and ten percent of my practice is in family law and Juvenile court mediations. Over the past several years, I have also represented two, separate, Appellees at the Court of Appeals for the Western District.

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.

When I was an associate at Wyatt Tarrant & Coombs, LLP, I had the opportunity to practice in federal courts in the Western District of Tennessee, as well as practiced in Circuit Court, Chancery Court, Juvenile Court, and General Sessions Court in Shelby County. Since devoting my practice to family law litigation, I have primarily practiced in the Circuit, Chancery, and Juvenile Courts for the Thirtieth Judicial District at Memphis. I have had contested cases in the Circuit and Chancery Courts of Tipton County, Fayette County, Madison County, and other surrounding counties. As early back in my career at Wyatt Tarrant & Coombs, PLLC, and continuing through the present, I have been involved in appellate work at the Tennessee Court of Appeals for the Western District. Specifically, I have been involved in the following Court of Appeals cases: Black v. Black, 2004 WL 1563233 (Tenn.Ct.App.2004) (unreported); Ruder v. Ruder, 2008 WL 4368236 (Tenn.Ct.App.2008) (unreported); and Shrivistava v. Pandey, 2013 WL 657799 (Tenn.Ct.App.2013) (unreported).

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

I do believe in engaging in *pro bono* work. Throughout my practice, I have always taken on *pro bono* cases or represented clients at reduced rates in an effort to be a part of the Access to Justice movement across this State.

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

For the past four years, I have sat on the Memphis Bar Association's Fee Dispute Committee, which is an arbitration committee that hears fees disputes between clients and attorneys (or former attorneys) and resolves those disputes after an informal hearing. I have enjoyed sitting on this committee and assisting the clients and attorneys in the resolution of those disputes. I have also been honored by being asked to give several continuing legal education seminar representations. I gave a presentation for the American Bar Association Family Law Section titled "Beyond Child Support," co-authored with Robert Vance in October of 2007. I gave a presentation for the Memphis Bar Association Family Law Section titled "How to Get Records Including Medical, Psychological, Counseling, DCS, IV-D and Employment." This presentation was co-presented with Melissa Berry and Amy Cannon. Finally, I gave a presentation titled "Joint Shared Custody Issues and Considerations" which was presented in the Family Law Update hosted by the Memphis Bar Association.

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

None.

**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.

University of Pennsylvania, 1991-1995, B.A. in English Literature, Minor in Women's Study.  
University of Memphis, Cecil C. Humphreys School of Law, 1999-2000, J.D.

Santa Clara University School of Law – 1997-1998.

**PERSONAL INFORMATION**

12. State your date of birth.

March 6, 1973.

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

I have lived in Memphis, Tennessee from 1975 -1991 and from 1999 through the present.

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

I have lived in Shelby County from 1975-1991 and from 1999 through the present.

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

Shelby County, Tennessee.

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.

Not applicable.

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.

Two, separate complaints were filed against me to the Tennessee Board of Professional Responsibility by Manish Shrivistava, the former spouse of one of my clients in a divorce case in 2012 and 2013. Both complaints were dismissed.

One complaint was filed against me in 2015 to the Tennessee Board of Professional Responsibility by Delores Yates, the mother of one of my former clients in a divorce case. This complaint was dismissed.

One complaint was filed against me to the Tennessee Board of Professional Responsibility by Chadwick Hilde, the ex-boyfriend of one of my clients. This complaint, which was originally filed in December of 2015, is still pending; however, I anticipate that it will be dismissed. Mr. Hilde's case is a Juvenile Court contested custody matter. My client prevailed before a Juvenile Court Magistrate. My client prevailed at a rehearing before a Special Judge. Mr. Hilde has now filed an appeal with the Court of Appeals, which is pending. While the Court of Appeals case was pending, Mr. Hilde filed the board complaint against me.

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.

No.

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.

I am a life-long member at Grace St. Luke's Episcopal Church. I was a co-chair for fundraising for the annual fund for St. Mary's Episcopal School in 2014 & 2015. I am involved and have been involved for the past five (5) years in the University of Pennsylvania Alumni Club, where, among other things, we annually interview the potential, local candidates for admission to the University and submit reports to the University for admission for the following academic year.

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.

I am a member of the American, Tennessee, and Memphis Bar Associations, and a member of the Family Law Sections for each of those organizations. I am a member of the Association of Women Attorneys. I was the treasurer for the Family Law Section of the Memphis Bar Association (2007-2008). I was a participant in the Memphis Bar Association Leadership Forum (2008-2009). I attended the American Bar Association Trial Advocacy Institute (2007). I was on the Memphis Bar Association's Young Lawyer Division Board of Directors (2005 - 2007). I

participated in the Leo S. Bearman American Inns of Court (2003 - 2005).

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.

I was selected to be featured in a March of 2010 Memphis Magazine article titled "He Said She Said" by Marilyn Sadler. The article featured another male family law attorney and myself and addressed how I became a family law attorney and my perspective on family law. I was also selected to be included in the October 2015 Memphis Magazine feature titled "Women to Watch."

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.

None.

#### **ESSAYS/PERSONAL STATEMENTS**

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

I enjoy participating in the resolution of disputes and ending conflict litigation. While I enjoy being an advocate for my client in contested litigation, I have really enjoyed acting as a Rule 31 listed mediator by assisting parties in reaching agreements to resolve their conflicts. However, even in the mediation context, parties can still act unreasonably in an effort to prolong contested litigation. As a judge, I will work diligently to move cases in my courtroom forward to conclusions that end litigation and conflict. I believe that, as a judge, I will be even-handed, fair, and will diligently apply the law to resolve outstanding cases.

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)*

I am seeking the judgeship for Division VII of the Circuit Court of Memphis and Shelby County. This Court handles a wide variety of cases which includes jury trials. I have extensive experience in the area of family law, which is a substantial component of the cases handled in Circuit Court; however, my experience with commercial litigation has prepared me to hear the other types of civil cases that are heard in Circuit Court. I believe I am known in the legal community as being intelligent, fair, reasonable, and honest. I have a passion for the law and the resolution of legal conflict. I am known by the nine Circuit Court Judges who are currently on the bench and believe that I have a good reputation with those judges and would have a good



rapport with them as a peer if I were appointed to this position.

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)*

I will uphold the law, even if I disagree with the substance of the law. I understand and respect the separation of powers inherent in our government and agree that the Legislature enacts the laws while the Judiciary enforces the laws. Within my own practice in family law, a memorable situation where I disagreed with the law surrounds the forced production of mental health records of a parent (or both parents) in a contested child custody case. A former client had some very common, depression-related mental health issues and was prescribed medication to address the matter. By all reasonable standards, this client had never exhibited harmful behavior and was not likely, in my opinion, to harm the minor children. The Court, in weighing the need for disclosure of those records in performing the best interest analysis for the benefit of the minor children against the patient's right to privacy and to encourage those who need help to seek help, ordered the production of the mental health records. I believed the other parent sought those records to harass and embarrass my client as well as to intimidate my client into giving the other parent more parenting time with the minor children and that the other parent was not entitled to those records. Nevertheless, and despite my disagreement with the Court's analysis of the law, I encouraged my client to produce those sensitive records.

#### 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. Ms. Dorothy J. Pounders, Esq., Attorney at Law, Pounders Coleman,

B. Mr. Bradley W. Gilmer, Esq., Attorney at Law, the Hardison Law Firm,

C. Mr. Charles W. McGhee, Esq., Attorney at Law, Shea Moskovitz & McGhee, PLC,

D. Ms. Hollis Ligon, Middle School Assistant Head, The Hutchison School,

E. Ms. Alexandra Turner, Chief Marketing Officer, American Contract Bridge League,

**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 [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 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: \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

When completed, return this questionnaire to \_\_\_\_\_, 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.

Margaret M. Chesney  
Type or Print Name

Margaret M Chesney  
Signature

7/6/16  
Date

TN 21169  
BPR #

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

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