

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

04/15/16

Name: Jeremy Dane Ball

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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). 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 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.

Assistant District Attorney General for the Fourth Judicial District in Tennessee.

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

2003; BPR# 022667

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 have been licensed in Tennessee since October 14, 2003 and my license is active. My BPR# is 022667.

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).

Office of the District Attorney General, Twentieth Judicial District (Metro Nashville): Assistant District Attorney General; September 1, 2003-August 31, 2004

Office of the District Attorney General, Fourth Judicial District: Assistant District Attorney General; September 1, 2004 to present

Wal-Mart Stores, Inc., Newport, TN location: Customer service associate and cashier; Various dates from 1994 through 2001, typically seasonal during summers and school breaks.

Carson-Newman College (1998-2000): Orientation leader; 1998, Student assistant to the director of the Honors Program; Student assistant in the History/Political Science Department as part of a work-study program.

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.

As an Assistant District Attorney, criminal prosecution constitutes one hundred percent of my practice. I am one of two prosecutors currently assigned to Jefferson County, and practice in all of the various criminal courts within the county, to include Circuit Court, General Sessions Court, Juvenile Court and the Drug Recovery Court.

I am a member of the Child Protective Intervention Team (CPIT) in Jefferson County. We meet monthly to review allegations of abuse and neglect against children and determine the appropriate classification for each case. I am assigned to review applications for expungement in Jefferson County.

I serve on the Fourth Judicial District Drug Recovery Court team. My answer to question nine on this application elaborates on that portion of my job.

I review warrants, consult with officers, meet with crime victims and witnesses and assess complaints of all kinds as they come into the office. I often determine whether a complaint is criminal or civil in nature. I draft indictments, review evidence, and provide discovery responses. I file motions and briefs on behalf of the state and respond to briefs filed by opposing counsel. I conduct bond hearings, preliminary hearings and evidentiary hearings on behalf of the state.

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.

I have prosecuted tens of thousands of criminal cases during my career. I have tried at least twenty jury trials, and have never had a guilty verdict overturned on appeal. My experience includes having prosecuted over twenty cases involving some level of homicide or attempted homicide, up to and including cases in which the state sought the death penalty.

I appear in court multiple times each week, serving the various courts to which I am assigned. I believe that I have built a reputation for integrity and fairness with members of both the bench and the bar.

By its nature, my job often requires long hours, often on nights and weekends. In criminal cases,

once jeopardy attaches, there are no second chances. Extensive preparation is required to make sure that cases are prosecuted in a just and efficient manner.

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

Selected jury trials and cases of note (first chair unless otherwise indicated):

State of Tennessee v. Brandon Sean Sutton: First degree murder case in which the defendant killed the victim using an axe.

Guilty: First degree murder; Sentence: Life in prison without the possibility of parole.

Conviction affirmed on appeal: *State v. Brandon Sean Sutton*, No. E2011-00398-CCA-R3-CD, 2012 WL 3755634 (Tenn. Crim. App. at Knoxville, Aug. 30, 2012)

State of Tennessee v. Kevin Allen Gentry: Rape of a child case in which the defendant used a relationship with one underage victim to lure others into his home, where the defendant raped a nine year old victim. The defendant then fled the area with a separate underage victim whom he had impregnated. The defendant attempted to fake his own death to avoid capture before being located by the United States Marshals Service.

Guilty: Rape of a child; Sentence: Twenty-five years in prison, to serve at 100%.

Conviction affirmed on appeal: *State v. Kevin Allen Gentry*, No. E2008-02226-CCA-R3-CD, 2010 WL 376597 (Tenn. Crim. App. at Knoxville, Feb. 3, 2010)

State of Tennessee v. Kevin Allen Gentry (second case): The defendant produced child pornography in his home by recording himself sexually molesting multiple underage victims.

Guilty: Twelve counts of especially aggravated sexual exploitation of a minor and ten counts of sexual exploitation of a minor. Sentence: Thirty-eight years in prison, to be served consecutively to his twenty-five year sentence in the child rape case. Total sentence on all charges: Sixty-three years.

Conviction affirmed on appeal: *State v. Kevin Allen Gentry*, No. E2009-02041-CCA-R3-CD, 2011 WL 2936403 (Tenn. Crim. App. at Knoxville, July 21, 2011)

State of Tennessee v. Edward Smith: A local dentist drove his vehicle into the private residence of the victim at a high rate of speed, killing one of the home's occupants. The defendant claimed that he was attempting to commit suicide. This case generated significant interest and was broadcast on national television, appearing on the *In Session* channel (formerly known as Court TV). I served as second chair to General Dunn in this case.

Guilty: Vehicular homicide; Sentence: Three years.

State of Tennessee v. Ronnie P. Wilson III: The defendant and co-defendants entered a home posing as drug task force agents before taking property from the victims. The defendant held a knife to the throat of an elderly woman before the defendants fled with her property.

Guilty: Aggravated robbery and conspiracy to commit aggravated robbery; Sentence: Twenty years to serve at 100%.

Conviction affirmed on appeal: *State v. Ronnie Peter Wilson III*, No. E2013-00576-CCA-R3-CD, 2013 WL 6858273 (Tenn. Crim. App. at Knoxville, Dec. 30, 2013)

State of Tennessee v. Glenn L. Stepp: The defendant stabbed his ex-wife multiple times, causing severe and lasting injuries.

Guilty: Attempted first degree murder and violation of an order of protection. Sentence: Twenty-five years at 100% for the attempted murder, followed by a consecutive eleven month, twenty-nine day sentence on the violation of order of protection.

Conviction affirmed on appeal: *State v. Glenn Lemual Stepp*, No. E2013-10291-CCA-R3-CD, 2014 WL 1018215 (Tenn. Crim. App. at Knoxville, March 17, 2014)

State of Tennessee v. Shannon Baltimore, Steven Weaver and Theodore Ratliff: The state placed the defendants on death penalty notice for the first degree murder of an elderly woman. As part of the prosecution team, I reviewed reams of evidence, met with witnesses, family members of the victim, and crafted responses to the numerous defense motions that accompany a capital case. Ultimately, this case was resolved prior to trial when two of the defendants entered pleas of guilty to first degree murder and received sentences of life without the possibility of parole. The third defendant received a twenty-five year prison sentence for the charge of especially aggravated robbery.

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

I am the Jefferson County prosecutor assigned to the Fourth Judicial District Drug Recovery Court. This is a separate court that was established in 2009 to address criminal defendants with substance abuse issues and other co-occurring mental health disorders.

Drug recovery court is a parallel court track that draws from a variety of perspectives to ensure that participants retain their sobriety and grow towards becoming fully functioning members of society. Judges work with prosecutors, defense attorneys, probation personnel, case workers, therapists and others to craft appropriate methods to guide individual participants on the path towards healthy and productive lives.

I have been involved in the establishment and implementation of this court from its inception and have received dozens of hours of specialized training over and above my traditional continuing legal education requirements. Specifically, I have completed courses and training provided by

the National Association of Drug Court Professionals (NDACP) and the National Drug Court Institute (NDCI). In addition, the hands-on experience of the past eight years has been instrumental in helping me and other members of the team develop effective strategies to help individuals recover their sobriety, their self-respect, their families, and to help them make their own positive contributions to society. Many participants and graduates of the program have re-entered the work force, and several have furthered their education through adult education, vocational training or enrolling in college.

In 2015, the number of prescriptions written for opioids in Tennessee (7.8 million) exceeded the number of residents in the state. That same year, traffic fatalities linked to drug use outpaced alcohol-related traffic deaths. The opioid epidemic has taken a great toll on the lives of individuals, families, businesses, and communities in this district, just as it has in many other rural areas of this state and region. Our drug recovery court has been an effective tool that has saved lives, restored families, reduced recidivism, lowered costs to the state, and transformed criminal offenders back into contributing members of society.

I am proud of the work I have done to facilitate the implementation and growth of this program. This concept has grown from an idea on paper to a fully functioning system that continues to expand and help new participants. Our drug recovery court acquired a property to provide transitional housing for participants, and in doing so filled a dire and unmet need in our community. Many participants and graduates have credited the access to stable housing as being indispensable in their efforts toward recovery. Several of these have been drug-addicted women who were pregnant upon entry but were able to deliver healthy babies as a result of spending critical months of their pregnancy in a safe, drug-free environment.

In 2014 our courts began to develop specific responses to a rise in incidences of children born with Neonatal Abstinence Syndrome (NAS). This increase was attributable to the fact that opioid addicted pregnant women who entered the justice system were often not receiving treatment for their drug addiction. Our court developed a "review docket," implemented by Judge O. Duane Slone, to address these issues. This resulted in more than twenty healthy babies born which were able to remain in the custody of their mothers. Due to that success, the review docket has been expanded to include the broader population of defendants and has shown promising results.

There are two drug recovery court dockets, one of which meets twice monthly in Jefferson County and the other meets twice monthly in Cocke County. Judge Hooper currently presides over the Cocke County drug recovery court docket and his retirement will create a void to be filled. It is imperative that this valuable program continue to provide opportunities for recovery in this district.

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

This is my first application for any judicial position.

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.

Carson-Newman College (now Carson-Newman University), Jefferson City, TN; 1996-2000:

Bachelor of Arts (B.A.) *Cum Laude*; Double major in Political Science and Religion.

Recipient of the J.D. Hale pre-law award in 2000.

Vanderbilt University Law School, Nashville, TN; 2000-2003:

Doctor of Jurisprudence (J.D.)

Law and Business Certificate

PERSONAL INFORMATION

12. State your date of birth.

December 15, 1977.

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

I was born in Tennessee and have lived in this state my entire life, with the exception of a semester-long internship in Washington D.C. as an undergraduate. I lived in Washington D.C. from January through April in 1999.

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

I have lived in Jefferson County continuously since July of 2005.

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

Jefferson County.

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.

None.

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.

First Baptist Church, Jefferson City, Tennessee

Deacon 2012-2014

Trustee 2008-2011; 2016-2017 (twice served as Chair of Trustees)

Jefferson County Habitat for Humanity

Board of Directors, 2014-2017

Fourth Judicial District Drug Recovery Services, Inc.

Board of Directors 2013-present

Jefferson County Republican Party

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.

- 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.

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

Member since 2004

Criminal Justice Executive Leadership Committee: East Tennessee Delegate 2007-2010

Jefferson County Bar Association

President, 2013-2017

Sevier County Bar Association

I have been a member several years in the last thirteen years, although not every single year.

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 present the Constitution Day program at Carson-Newman College in 2011.

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, other than my appointments as Assistant District Attorney General in the twentieth and fourth districts.

ESSAYS/PERSONAL STATEMENTS

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

I am committed to this community and believe that our justice system is the bedrock of civil society. Born and raised in Cocke County, I have invested the great majority of my life, professionally and otherwise, into the service of this district and its people. It is important to me for citizens to know that judicial decisions are made with integrity. I possess the skill, work ethic and temperament necessary to serve as a circuit court judge. If appointed, I would ensure that

cases are resolved in a fair, thorough and timely manner. In the circuit court to which I am currently assigned, our docket moves expeditiously with virtually no backlog of cases. I will work to maximize the court's efficiency and effectiveness. My motivation is not attaining a robe or a title, but rather continuing the important work of this court and the service it provides.

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)**

The Fourth Judicial Circuit Court Judge serves Cocke, Grainger, Sevier and Jefferson Counties. There are four circuit court judges and one chancellor in the district. Judge Hooper's retirement creates a vacancy for division one, which hears civil cases on a rotating basis from all four counties and traditionally takes the criminal portion of its case load from Cocke County.

Trial by jury is increasingly becoming a lost art, but for a circuit court judge it is a core competency requirement. My experience in that area would serve the court well. Additionally, this judgeship is one of two in the district that presides over the drug recovery court. It is imperative that the next judge continue the work of this innovative and life-changing program without interruption. I am confident that my training and expertise in this area will not just continue the program, but enhance and expand it.

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 in a particular case. The role of a prosecutor is unique among lawyers in that we are to seek justice, not merely to pursue conviction at any cost. When justice requires it, a prosecutor has a duty to terminate a prosecution that cannot be supported by evidence. In this way, prosecution is excellent training for a judicial role.

One example I can cite from my experience happened early in my career. Following the execution of a search warrant, a large quantity of drugs was recovered from a defendant's home. In preparing for the prosecution of the case it came to my attention that the issuing court had made a clerical error on the warrant. At that time, under state law, the mistake was fatal to the warrant. Tennessee had not yet passed the Exclusionary Rule Reform Act that has since been codified in T.C.A. 40-6-108, and Tennessee courts did not yet recognize a "good faith" exception argument. Even though there was evidence of the defendant's guilt, I had to terminate prosecution because the error on the warrant rendered the evidence inadmissible.

From an advocate's perspective, I would have preferred to argue to admit the evidence based on the good faith exception, but the law at the time did not allow such an argument. If appointed, I will be faithful to the law and give a fair hearing to all parties, regardless of my personal views.

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. Dr. Ross Brummett

B. The Hon. James B. Dunn

C. Mr. Earl Jarnigan

D. The Hon. Rex Henry Ogle

E. The Hon. O. Duane Slone

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 of the Fourth 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: July 23, 2017.

Jeremy D. Ball
Signature

When completed, return this questionnaire to Debbie Hayes, 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.

Jeremy D. Ball

Type or Print Name

Jeremy D. Ball

Signature

July 23, 2017

Date

022667

BPR #

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