

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

04/15/16

Name: Quinn Brandon Stewart

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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.

I am a partner at Brandon and Brandon Law Firm in Lewisburg, Tennessee. I am also a part-time municipal judge for the Town of Petersburg.

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

I received my license in 2005. My Board of Professional Responsibility number is 24085.

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 in Tennessee. I am also licensed in United States District Court for the Middle District of Tennessee. My Board of Professional Responsibility number is 24085. I received my license on April 26, 2005 and it is still 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).

Dec. 2004 – Present	Brandon and Brandon, Attys.	Lewisburg, TN
<i>Attorney</i>		
June 2005-Present	Town of Petersburg	Petersburg, TN
<i>City Judge</i>		
May 2007-May 2011	City of Lewisburg	Lewisburg, TN
<i>City Councilman</i>		
June 2007-June 2011	Lewisburg Gas Department	Lewisburg, TN
<i>Board Member/Secretary</i>		
October 2009-Present	River Rat Canoe Rental, Inc.	Columbia, TN

Co-Owner

May 2011-Present Stewart Rental Properties Lewisburg, TN

Co-Owner/landlord

July 2011-July 2014 Lewisburg Gas Department Lewisburg, TN

Attorney

August 2014-Present Lewisburg Gas Department Lewisburg, TN

Chairman of the Board

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 law practice is a general practice and it varies some from year to year. Our practice has consisted of approximately 24% civil litigation, 6.1% criminal, 22% domestic relations, 24.2% wills and probate, 6.6% real estate, 2.8% contracts, and 14.3% governmental law up to date for 2017.

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.

A large percentage of my practice includes trial work. Most of my time during the week is spent in General Sessions, Circuit, or Chancery Court in various counties. Occasionally, I will represent clients in municipal courts in different counties. I have experience with both civil and criminal jury trials as well as numerous bench trials. I usually have about a case or two a year go up on appeal. In addition, I have eleven years' experience representing municipalities and their various boards. I represented real estate agents before the Tennessee Real Estate Commission involving real estate transactions and went before the Tennessee Department of Safety in regard to seized property where my client was the lien holder. I have also done some work in Federal Court relating to unfair debt collection procedures. I also do real estate closings and draft documents for clients fairly regularly.

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

I have experience in both criminal and civil trials and written both criminal and civil appellate briefs. Some of the issues I have written briefs on are termination of parental rights, domestic law, post-conviction relief, and issues relating to civil procedure. I have been successful on appeal a majority of time.

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

Several aspects of my legal career are advantageous for me in this position. I am the first female out of six generations of lawyers and judges. My family's legal heritage has helped me gain a wealth of information that has been beneficial to my career. In addition, while in law school, I worked as a research assistant for the law library and I often wrote appellate briefs for additional income. These research and writing skills I developed have benefitted me tremendously in the practice of law. In addition, it is the moral, ethical, and legal, obligation of attorneys to help those in need of legal services. It has been my personal policy to assist in pro bono work at least five hours every week. As a part of my services, I advise non-profit organizations, assist victims of domestic violence, and help others that are less fortunate with their basic legal needs.

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

I have not previously submitted an application for a state or federal 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.

I attended Middle Tennessee State University from the fall of 1997 until I graduated in spring of 2001. I received a Bachelor of Science. My major was Political Science and my minors were English and Psychology. I attended the University of Memphis Law School from the fall of 2002 until December of 2004 where I received a Juris Doctor. I attended the University of Aberdeen in Scotland for a study abroad program in the summer of 2004. The University of Maryland sponsored the program and I received law school credit.

PERSONAL INFORMATION

12. State your date of birth.

November 19, 1978

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

I have a resident of Tennessee my entire life except.

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

I have resided in Marshall County since I graduated law school in December of 2004.

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

Marshall

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.

I have not been in the military.

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.

Several years ago someone filed a complaint with the Board of Professional Responsibility against me alleging I had a conflict of interest in handling a case against them. It was dismissed because it lacked merit.

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.

I am the plaintiff in a case where I was the landlord against my tenants that damaged my property. It was Quinn Brandon Stewart v. Teri Anderson and Jeremy Cummings, Marshall County Circuit Court, Case #17-CV-31. After a bench trial, I was awarded a judgment for \$13,026.86 plus costs. Defendants have filed a motion for a new trial or to alter or amend the judgment. It is set to be heard on September 22, 2017.

In addition, I was occasionally named in lawsuits against the City of Lewisburg when I was on the Lewisburg City Council. Usually litigants against municipalities name everyone possible in the lawsuits. I do not recall the specifics, but I was never called as witness or found to be personally liable.

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.

1) Kiwanis Club of Lewisburg 2005-Present

I was Vice-President from 2010 through 2012 and President from 2013-2015. I have also chaired several committees.

2) Junior Auxiliary 2005-Present

I have been Secretary, Treasurer, Vice-President and President. I do not recall the years.

3) American Youth Soccer Association

I have been a coach since 2014.

4) Daughters of the American Revolution 2014-Present

Publicity Chair 2014-Present

5) Magna Carta 2005-Present

6) First Presbyterian Church of Lewisburg, Tennessee

I have been serving as the Trustee since May of 2017. I have also been very active with the youth group.

7) Marshall County Art Guild 2014 to Present

8) Member of the Benevolent Protective Order of the Elks 2005-Present

9) Marshall County Emergency Assessment Team

10) Pregnancy Resource Center

Board of Directors 2011-Present

11) Wee-Care, Inc. Board of Directors

I do not recall the exact dates but I believe it was around 2010-2014.

12) Middle Tennessee State University Women's Rugby Board of Directors 2016-Present

13) Oak Grove Elementary Parent/Teacher Organization

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.

1) Tennessee Municipal Judges Conference
Membership 2005-Present

Appointed to Legislative Committee 2011-Present
Duties of the Legislative Committee include voting, recommending, and drafting laws benefitting municipal courts to the State Legislature

Appointed to Long Range Planning Committee 2015-Present
Duties of the Long Range Planning Committee include planning for future of matters relating to municipal judges. For example, we are currently working on safety related videos to teach students safety awareness.

2) Marshall County Bar Association
Membership 2005-Present

Treasurer 2005-2011

3) Association of Municipal Attorneys
Membership 2009-Present

4) Tennessee Bar Association
Membership 2005-Present

5) Association of Trial Lawyers of America
Membership 2006-Present

6) Tennessee Gas Association
Membership 2007-Present

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.

A. Tennessee Supreme Court Attorney for Justice

B. Tennessee Journal of Practice and Procedure published my article relating to the procedural requirements for criminal contempt convictions.

C. I was selected by the Administrative Office of the Courts to attend the National Judicial College in Reno, Nevada regarding judicial ethics.

D. I was selected by the Administrative Office of the Courts to attend the American Institute of Justice's program regarding evidence for judges in Duck Key, Florida.

E. Also see the response to Question 25.

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.

- A. I was the first female ever elected to the Lewisburg City Council. My term was from May of 2007 until May of 2011.
- B. I was appointed Petersburg City Judge in 2005 and I am still in that position.
- C. I was appointed as the City Attorney from the Town of Cornersville from February of 2009 until my resignation in August of 2015.
- D. I was appointed City Attorney for the Town of Mount Pleasant from August of 2015 until my resignation in August of 2017.
- E. I was appointed to the Lewisburg Gas Department as a board member and Secretary from June of 2007 until June of 2011. I was then appointed as their attorney from 2011 until July of 2014. In August of 2014, I was reappointed as a member of the Board of Directors where I was elected Chairman of the Board by the other Board members. I am still the Chairman of the Board.
- F. I ran for Lewisburg City Judge in August of 2014. I lost by approximately thirty votes.

ESSAYS/PERSONAL STATEMENTS

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

One of my major motivating factors in going to law school was to help people on a daily basis. Lawyers have the ability to help others, but judges have the ability to help people on a grander scale based on the multitude of people they encounter. Judges also have the innate ability and obligation to do the right thing. Lawyers are often required to do what is best for their clients even though it is not necessarily the right thing for everyone else involved. I have thoroughly enjoyed my experiences over the last twelve years as a municipal judge and it has given me the desire to work in a larger court setting and make more of a positive impact on my community. It is my sincere desire to help litigants to feel respected and fairly treated in their pursuit for justice.

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 appointment as Circuit Judge of the Seventeenth Judicial District. The judicial district consists of the rural counties of Marshall, Bedford, Lincoln and Moore. It has two circuit judges and a chancellor with concurrent jurisdiction. Judges in this District hear both civil and criminal matters. My judicial experience combined with my knowledge base from both criminal and civil trial matters make me uniquely qualified for this position. My selection would positively impact the court by adding a fresh perspective and a wealth of information gleaned from years of private practice. If selected, I fully intend to use this knowledge to treat everyone fairly, equitably, and with respect, which will in turn improve the public's perception of the judiciary.

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 regardless of my personal beliefs regarding the law. A judge's role is not to make laws. A judge's pivotal role is to interpret and apply the law, weigh the evidence, and make an impartial decision. Judges attempting to undermine and change laws are circumventing the principles of an independent judiciary.

For example, I personally believe that parents should do whatever is reasonably possible to provide their children with health insurance. Occasionally, a step parent has insurance available through their work at a more reasonable rate than the legal parent. However, the Child Support Guidelines do not allow legal parents to receive credit for contributions from a step parent in calculating child support. Therefore, the legal parent either pays more in insurance to the detriment of the child or has the child enrolled in TennCare. Either of these situations are not logical if the insurance was obtained by the step-parent at a lower rate reducing the family expenses. Despite my feelings on this matter, judges should continue to exclude insurance payments by step parents in child support payments as long as this is the law. It would be up to the legislature to make these changes.

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. Rick Tillis

B. Stacey Cothran

C. Tiffany Allen

D. Megan Kingree Trott

E. Col. Wayne Coomes


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 Seventeenth 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: Sept. 5, 2017.


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.

Quinn Brandon Stewart

Type or Print Name

Signature

9/5/17

Date

24085

BPR #

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