

Tennessee Judicial Nominating Commission
Application for Nomination to Judicial Office

Rev. 26 November 2012

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INTRODUCTION

Tennessee Code Annotated section 17-4-101 charges the Judicial Nominating Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question, and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in word processing format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website <http://www.tncourts.gov>). The Commission requests that applicants obtain the word processing form and respond directly on the form. Please respond in the box provided below each question. (The box will expand as you type in the word processing document.) Please read the separate instruction sheet prior to completing this document. Please submit the completed form to the Administrative Office of the Courts in paper format (with ink signature) **and** electronic format (either as an image or a word processing file and with electronic or scanned signature). Please submit fourteen (14) paper copies to the Administrative Office of the Courts. Please e-mail a digital copy to debra.hayes@tncourts.gov.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am currently an associate at Holland Law Knoxville in Knoxville, Tennessee. I share office space with Shannon M. Holland, Esq., and I practice law in Northeast Tennessee.

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 2010 in Tennessee. My BPR is 029383.

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 was licensed in Tennessee in 2010. The license is active. The number is 029383.

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).

I have never been denied admission to, suspended, or placed on inactive status by the Bar of any State.

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).

Since the completion of my legal education, I have served the people of Tennessee as both an attorney and listed Rule 31 Mediator. I started my career by opening Quest Mediation in July of 2010 in Greene County, Tennessee, and changed the name to Quest Conflict Resolution upon the conference of my law license by the Bar. Prior to my legal education, I worked in Workers' Compensation, Personality Profiling for businesses, as a collections agent for a call center, a

store clerk for a big-box chain, and even as a hotel front desk person.

6. If you have not been employed continuously since completion of your legal education, describe what you did during periods of unemployment in excess of six months.

I have been employed continuously since completing my legal education.

7. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

My current law practice at Holland Law Knoxville involves domestic relations, contracts, property law, child support matters, and juvenile law. Out of this, I would say juvenile law constitutes 50%, Child support 10% domestic relations (divorce, custody) 10%, contracts 10%, and property law 10%. At this point, though, I still consider myself a “general practitioner” available to take cases to suit the community’s needs. I also do mediations, though that is a negligible portion of my current practice as I am not established in the Knox County area at this time.

8. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters. In making your description, include information about the types of matters in which you have represented clients (e.g., information about whether you have handled criminal matters, civil matters, transactional matters, regulatory matters, etc.) and your own personal involvement and activities in the matters where you have been involved. In responding to this question, please be guided by the fact that in order to properly evaluate your application, the Commission needs information about your range of experience, your own personal work and work habits, and your work background, as your legal experience is a very important component of the evaluation required of the Commission. Please provide detailed information that will allow the Commission to evaluate your qualification for the judicial office for which you have applied. The failure to provide detailed information, especially in this question, will hamper the evaluation of your application. Also separately describe any matters of special note in trial courts, appellate courts, and administrative bodies.

Over the course of my legal career, I’ve handled matters ranging from Aggravated Burglary and Aggravated Assault cases in Criminal Court to minor “delinquency” plea negotiations in Juvenile court. I’ve worked as counsel of record for parties negotiating land transactions, I’ve prepared and overseen closings, and I’ve handled complex matters involving dependency and neglect that spanned over a years’ time from the filing of the initial petition to a 30-day hearing. I’ve represented parents in cases, I’ve been a Guardian Ad Litem for numerous youths, and I’ve done

contract negotiations for UFC fighters. My mediation history involves matters where I've had to do extensive cultural research for the sake of helping parties reach an agreement. In short, if there's been a bizarre situation in the legal world I think I've been exposed to it while practicing.

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

See above.

10. If you have served as a mediator, an arbitrator or a judicial officer, describe your experience (including dates and details of the position, the courts or agencies involved, whether elected or appointed, and a description of your duties). Include here detailed description(s) of any noteworthy cases over which you presided or which you heard as a judge, mediator or arbitrator. Please state, as to each case: (1) the date or period of the proceedings; (2) the name of the court or agency; (3) a summary of the substance of each case; and (4) a statement of the significance of the case.

I've been a Listed Rule 31 Civil and Family Law Mediator in Tennessee since 2010—before I gained by law license from the Tennessee Bar. I've mediated cases in which I needed to do extensive cultural research before handling the case to better serve the interests of the parties (Fahngon v. Fahngon, 2011 Washington County Court, Contested Divorce) as an example.

11. Describe generally any experience you have of serving in a fiduciary capacity such as guardian ad litem, conservator, or trustee other than as a lawyer representing clients.

I have represented numerous children as a guardian ad litem in Greene County Juvenile Court on cases ranging from severe abuse to drug exposure in the home.

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

I've been involved as a Guardian Ad Litem in a particularly horrendous case involving a child removed from the mother and placed in the custody of the father two days after being born. The case set for almost a year without reaching the Adjudicatory hearing and numerous motions have been filed to get the case heard in the appropriate manner and expeditiously. This is a major reason I want to be a member of the judiciary.

13. List all prior occasions on which you have submitted an application for judgeship to the Judicial Nominating Commission or any predecessor commission or body. Include the specific position applied for, the date of the meeting at which the body considered your application, and whether or not the body submitted your name to the Governor as a nominee.

This is my first application for judgeship to the Judicial Nominating Commission.

EDUCATION

14. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

I graduated from Carson-Newman College with a Bachelor of Arts in 2003 with an emphasis in Communications. I went to UT Knoxville to pursue a Master's in Education but left after two semesters as (1) my GRE scores in the math range were too low to support a Master's acceptance to UT and (2) my passion was not in education. I applied to law school and was accepted in 2007 at the Appalachian School of Law in Grundy, Virginia and graduated in 2010 from ASL with the "Lawyers As Problem Solvers" track certification, which indicates an emphasis in Alternative Dispute Resolution education.

PERSONAL INFORMATION

15. State your age and date of birth.

I am 32 years old. I was born on November 10, 1980.

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

I have lived in Tennessee all my life in some form or fashion, save for approximately two years where I "lived" in law school in Grundy, Virginia (2008-2010). I did, however, maintain a residence in Tennessee even while attending school in Virginia.

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

I have lived in Greene County since 2010.

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

Greene County, Tennessee.

19. Describe your military Service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

I have never been involved in military service.

20. Have you ever pled guilty or been convicted or are you now on diversion for violation of any law, regulation or ordinance? Give date, court, charge and disposition.

I have never pled guilty, been convicted of, or placed on diversion for a violation of any law, regulation, or ordinance besides minor traffic infractions (i.e. speeding).

21. To your knowledge, are you now under federal, state or local investigation for possible violation of a criminal statute or disciplinary rule? If so, give details.

To the best of my knowledge I am currently under no such investigations.

22. If you have been disciplined or cited for breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group, give details.

I have never been disciplined or cited for breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other group.

23. Has a tax lien or other collection procedure been instituted against you by federal, state, or local authorities or creditors within the last five (5) years? If so, give details.

To the best of my knowledge, no collection procedures—including tax liens—have been instituted against me by federal, state, or local authorities or creditors within the last five (5) years.

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

I have never filed bankruptcy in any manner.

25. Have you ever been a party in any legal proceedings (including divorces, domestic proceedings, and other types of proceedings)? If so, give details including the date, court and docket number and disposition. Provide a brief description of the case. This question does not seek, and you may exclude from your response, any matter where you were involved only as a nominal party, such as if you were the trustee under a deed of trust in a foreclosure proceeding.

I was involved in a divorce in 2008. The matter was Seaton v. Seaton, 2008 in Hawkins County, Tennessee. The docket number is unavailable to me at this time. Disposition was a grant of divorce on the grounds of irreconcilable differences.

26. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

I belong to Phi Alpha Delta Law Fraternity International at the current moment—specifically the Knoxville Alumni Chapter. I've been President of the Appalachian School of Law's Federalist Society chapter—this was from 2008-2009.

27. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.

- 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.

I have never been involved with any organization, association, club or society that limits its membership. If I was involved with such an organization, I would withdraw on grounds of principle. All people should be allowed access to the organization of their choosing.

ACHIEVEMENTS

28. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

Greene County Bar Association—2010 to 2013, Knoxville Bar Association—2013 to present, TACDL—2010-2012, Tennessee Bar Association—2010 to Present. American Bar Association—2010 to present.

29. List honors, prizes, awards or other forms of recognition which you have received since your graduation from law school which are directly related to professional accomplishments.

I have received no such awards at this time.

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

I have not published any legal articles or books that have citations.

31. List law school courses, CLE seminars, or other law related courses for which credit is given that you have taught within the last five (5) years.

I've taught the Certified Civil Mediation Practicum and the Alternative Dispute Resolution Survey class at the Appalachian School of Law in Grundy, Virginia. I've taught a course on reading people and skills enabling mediators to spot emotions for the Virginia Mediation Network, the Open Door Mediation program of Washington, DC, and the Collaborative Law Professionals of Roanoke.

32. List any public office you have held or for which you have been candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

I threw my name in for contention in October, 2011, in Greene County, Tennessee as a potential selection for Juvenile Court Magistrate on the retirement of former Magistrate Sandra Stanbery-Foster. The position was appointive.

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

I have never been a registered lobbyist.

34. Attach to this questionnaire at least two examples of legal articles, books, briefs, or other legal writings which reflect your personal work. Indicate the degree to which each example reflects your own personal effort.

See attached documents.

ESSAYS/PERSONAL STATEMENTS

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

I'm interested in the position of either Chancery or Circuit judge because it's my chance to help the people of Greene County—the area in which I grew up, the area that made me a man, and the area I want so badly to give back to. I know the Third Judicial District's people are disenchanted with the judiciary. Save for a few exceptions, very few people I've spoken with seem to think they will get a "fair shake" unless they either know the judge or have paid an exorbitant amount for an attorney. It's time to change that. Furthermore, I'm seeking this position to bring a dedicated, youthful face to the people of the Third Judicial District—one that still believes in the spirit of the law, and thinks sticking to its principles are a good thing.

36. State any achievements or activities in which you have been involved which demonstrate your commitment to equal justice under the law; include here a discussion of your pro bono service throughout your time as a licensed attorney. *(150 words or less)*

I'd argue that most of my achievements have been in the pro bono world as I've rarely gotten paid for the majority of the work I've done. The world trains you to think of the law as a "profession" when it's more of a calling—you do this to help people in need. In any event, the majority of my work that's been "paid" has been in the realm of indigent representation. I am also currently working to establish a "pro se docket day" mediation program in my current workplace—giving pro se litigants the access to mediators will be a great tool in disposing cases before the bench in Knox County.

37. Describe the judgeship you seek (i.e. geographic area, types of cases, number of judges, etc. and explain how your selection would impact the court. *(150 words or less)*

I'm seeking either the Circuit Court position or the Chancery Court position open due to retirements in the Third Judicial District. My selection would impact the court because I'm a fresh face, conflict free, and an injection of youth the judiciary in the Third Judicial District needs badly. Right now there is a perception the Third Judicial District is clogged with judges

who follow their emotions more than the law, that it's impossible to access true justice because the judiciary of the Third Judicial District is an exclusive "old boy's network" and that if you're not a political type you'll never see a favorable ruling. I'd like to be the person who pushes the curtain aside, gives people the justice they need, and interprets the law fairly and impartially for whatever length I'm privileged to serve.

38. Describe your participation in community services or organizations, and what community involvement you intend to have if you are appointed judge? *(250 words or less)*

My law school was very stringent in requirements for community service. I was required to do a minimum of 15 hours a semester community service in Grundy, Virginia to graduate. I did more—I played in a band that made monthly visits to local nursing homes and served as "goodwill ambassadors" for the Buchanan County area. I've sponsored debates on legal topics during my time as Federalist Society President, and I've been an active member of the Church in various ways, from working with youth to performing with the Church's Praise Team in the 11 AM service on Sundays. I plan to be involved with the youth of the Third Judicial District in supporting education, health, and wellness programs as the Third District is plagued with issues regarding lack of education for young people or apathy towards education, as well as problems with drug and alcohol use. Lack of exercise programs and physical education as well as health and dietary concerns (especially in Greene County) are only making things worse. I'd like to see this changed for the better.

39. Describe life experiences, personal involvements, or talents that you have that you feel will be of assistance to the Commission in evaluating and understanding your candidacy for this judicial position. *(250 words or less)*

First, I'm a mediator at heart. I believe in giving people the chance to find creative solutions that best fit their needs and giving them the chance to do so outside the courtroom. I have seen the mediation process work successfully countless times over the past three years and believe in the process to where I advocate for it and speak on its importance. Second, I'm a freerunner by hobby. I find it important to look for ways around obstacles I find in my life, whether it means going over, under, or through them as opposed to letting these "stumbling blocks" get me down. Finally, I possess a sense of compassion and forgiveness that means I'm stuck with this tendency to view people like **people**, not as cases, retainers, or general sources of income.

40. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. *(250 words or less)*

I remember a time I represented a young lady as Guardian Ad Litem on a matter in Greene County Juvenile Court. This young lady was obsessed with seeing her boyfriend and ran away

from home so many times officers brought her in to declare her delinquent. After believing I'd reached this young lady, and the young lady in question ended up promising she would follow the Order of the Court, I got a call that weekend from her Resource Parent stating the young man she wasn't supposed to see had been found with this young lady in the Resource Parent's BED! The young lady was charged with contempt and spent two nights in the Juvenile Detention Center. I was given the opportunity to be the young lady's Attorney Ad Litem and defend her on the charge, but I remained as Guardian and advised the young lady she own up to her actions and plead guilty as she had violated an order of the Court and therefore needed to stand accountable for her actions. Do I think she needed to spend two nights in jail? No. But the Orders handed down by the Court are not polite suggestions, and this young lady needed to learn that.

REFERENCES

41. List five (5) persons, and their current positions and contact information, who would recommend you for the judicial position for which you are applying. Please list at least two persons who are not lawyers. Please note that the Commission or someone on its behalf may contact these persons regarding your application.

A. Paul Mederos, Jr. Design Engineer, Enchant Design, [REDACTED]
[REDACTED]

B. Paula Young, Professor, Appalachian School of Law, 1169 Edgewater Drive, Grundy, VA 24614, Phone: 276-935-4349 x: 1221, [REDACTED]
[REDACTED]

C. David Robbins, Partner: Robbins, Riddle & Norris, 714 First Street, Elizabethton, TN 37643, Phone: 423-542-6250 [REDACTED]

D. Leslie Douthat, Attorney: Law Office of Leslie Douthat, 206 S. Irish Street, Greeneville, TN 37743, Phone: 423-639-1400, [REDACTED]

E. Mark Toorock: Owner: Primal Fitness, Manager: The Tribe, Owner: American Parkour, Inc., 219 M. Street NW, Washington, DC 20001, Phone: 202-635-1941, [REDACTED]
[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 [Court] Third Judicial District Circuit and Chancery Courts 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: 7 March, 2013.



Signature

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



TENNESSEE JUDICIAL NOMINATING COMMISSION

511 UNION STREET, SUITE 600

NASHVILLE CITY CENTER

NASHVILLE, TN 37219

TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY


TENNESSEE BOARD OF JUDICIAL CONDUCT

AND OTHER LICENSING BOARDS

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information which 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 Tennessee Judicial Nominating Commission to request and receive any such information and distribute it to the membership of the Judicial Nominating Commission and to the office of the Governor.

Christopher Seaton
Type or Printed Name


Signature

3/7/2013
Date

029383
BPR #

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