


Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office


1/17/23



Name: Lee Edward Brooks

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(Marshall County)
(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 Microsoft Word 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 Microsoft Word 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. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am employed by the State of Tennessee as an Assistant District Attorney in the 17th Judicial District. My primary office assignment is in the Marshall County office, but I am available to be assigned to any of the four counties in the 17th Judicial District. I prosecute criminal cases in both general sessions and circuit courts including jury trials.

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

2012 – BPR 031044

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.

Tennessee – BPR 031044 – November 21, 2012 – 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).

In 1985, while in high school, I obtained my first employment experience at Red Foods in Columbia, Tennessee, as a courtesy clerk. Also in 1985, I worked at Pizza Hut in Columbia as a cook/busboy. After graduation from high school in 1986, I enlisted in the United States Marine Corps.

In 1990 I returned to Columbia after completing my military service. From 1990 through 1991, I worked part time for Goody's Family Clothing as a salesclerk and at Newspaper Printing Corporation as a deliverer of the Nashville Banner and Tennessean newspapers. From 1991 to 1993 I served at the Columbia Police Department where I served on the Honor Guard in addition to regular patrol duties.

I worked as a security officer at Williamson Medical Center in Franklin, Tennessee, in 1994.

I also joined the Williamson County Sheriff's Department in Franklin as a correctional officer in 1994. I worked at Foodmax Grocery Store in Columbia as an Assistant Produce Manager until early 1995.

From 1995 until 2001 I worked at the Spring Hill Police Department in Spring Hill, Tennessee, as a patrol officer, patrol sergeant, traffic crash reconstructionist, and detective. In 2001-2002 I served as a State Trooper with the Florida Highway Patrol. In 2003, I returned to Tennessee and worked as a police officer with the Vanderbilt University Police Department in Nashville, Tennessee. I returned to the Spring Hill Police Department later in 2003 and remained until 2005. I served as a patrol officer, patrol sergeant, training officer, firearms instructor, and was ultimately promoted to Assistant Chief of Police.

Upon completing my undergraduate degree in 2005, I gained employment as a full-time teacher at Zion Christian Academy in Columbia. I taught middle and high school math and science classes. I also served as the varsity baseball coach and assistant football coach for the middle and high school football teams. In addition, I was the faculty sponsor for the middle and high school Student Council. From 2016 until 2022 I officiated middle and high school baseball and football games as a TSSAA official.

In 2013 I opened my own law practice, Brooks Law & Mediation, in Spring Hill, Tennessee. I represented clients in criminal, civil, family and wills/estate matters. I became listed as a Rule 31 mediator in civil and family matters including special training in domestic violence issues. I provided mediation services to retained parties through my law practice as well as to parties through the Mediation Center (a non-profit organization) in Columbia at a reduced cost. In 2014 I was an adjunct instructor for Bethel University teaching Conflict in the K-12 System in the University's Master of Arts in Conflict Resolution program. In 2016 I established a partnership with another attorney, as managing partner, to form Miller & Brooks, PLLC, in Columbia. Our firm provided the same services to clients that I provided in my solo practitioner firm.

I was admitted to practice in the United States District Court of Middle Tennessee in 2016. I returned to my solo practice in 2017. Later in 2017 I joined the Public Defender's Office of the 22nd Judicial District as an Assistant District Public Defender. I joined the District Attorney's Office of the 17th Judicial District as an Assistant District Attorney in 2018 where I continue to be employed. I currently drive for Uber on some weekends.

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 100% criminal prosecution.

7. Describe generally your experience (over your entire time as a licensed attorney) in trial courts, appellate courts, administrative bodies, legislative or regulatory bodies, other forums, and/or transactional matters.

During my experience with the Public Defender's Office and the District Attorney's Office, my practice has been comprised entirely of criminal matters. During my private practice experience, I represented clients in criminal, civil, family, wills/estates, and mediation services in city, state, and federal courts. I have represented clients in all four of the counties of the 22nd

Judicial District as well as Davidson, Hickman, Marshall, Rutherford, and Williamson counties. I have also represented clients in the city courts of Lewisburg, Smyrna, and Fairview. I have prosecuted matters in Bedford, Marshall, Moore, Lincoln, and Lawrence counties.

I have represented over 650 indigent clients by appointment in state court ranging from class C misdemeanors to class A felonies. I have also represented clients in juvenile court in matters concerning parental rights, juvenile delinquency, guardian ad litem, and one matter concerning a transfer to adult court. I have represented clients in bench trials for both civil and criminal matters. I have represented clients as the lead defense attorney in six (6) jury trials. I have represented the State of Tennessee as lead or second chair prosecutor in twelve (12) jury trials. I have represented clients before the Tennessee Court of Criminal Appeals and the Tennessee Supreme Court.

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

I have represented many clients at the Tennessee Court of Criminal Appeals and one client on a matter that was before the Tennessee Supreme Court (on application for permission to appeal only). In that matter, I represented a client on a matter that began in the Maury County General Sessions Court, Part II (*State v. Thomas Braden*). After indictment, I filed a motion to suppress evidence based on a deficient search warrant. The trial court granted the motion to suppress and dismissed the matter. The State appealed the dismissal to the Tennessee Court of Criminal Appeals where the trial court decision was affirmed. The State filed for permission to appeal to the Tennessee Supreme Court where the matter was held pending until a decision by the Tennessee Supreme Court was released in *State v. Tuttle* which would ultimately change the standard by which search warrants were evaluated in court. After the *Tuttle* decision was released, Mr. Braden's matter was returned to the Tennessee Court of Criminal Appeals for evaluation under the new *Tuttle* standard of totality of the circumstances. The Tennessee Court of Criminal Appeals examined Mr. Braden's matter under the new standard and, again, affirmed the trial court's decision. The State sought a second review at the Tennessee Supreme Court but the application was denied.

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

I have experience in the court system from every perspective except as a judge or clerk. I have prosecuted criminal matters in both bench and jury trials as an Assistant District Attorney. I have defended criminal matters in both bench and jury trials as an Assistant Public Defender and as a privately retained attorney. I have represented clients in civil matters and parties in family law and estate matters in the Chancery Courts of Maury and Williamson counties. I have appeared as a witness in both civil and criminal matters that were being tried in front of juries.

10. List and describe all prior occasions on which you have submitted an application for any

state or federal judicial position.

I applied for appointment to Circuit Court Judge, Division III, of the 22nd Judicial District in 2018. I was one of the three candidates submitted to Governor Haslam by the interview board.

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.

Columbia State Community College: January 1991 – May 1996, Associate of Science Degree, General Studies

Middle Tennessee State University: June 1996 – August 2005, Bachelor of Science Degree, Science (emphasis in Chemistry and Physics)

Nashville School of Law: August 2007 – August 2011, Doctorate of Jurisprudence

Cumberland School of Law (Samford University): August 2016 – August 2018, Master of Science Degree, Health Law and Policy

PERSONAL INFORMATION

12. State your date of birth.

1968

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

I have currently lived continuously in Tennessee for twenty (20) years. I have been a lifelong resident of Tennessee other than four (4) years of military service and two (2) years I lived in Florida.

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

I have currently lived continuously in Maury County for twenty (20) years. I have been a lifelong resident of Maury County except for two (2) years in Giles County, four (4) years of military service, and two (2) years I lived in Florida.

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

Maury 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.

I served on active duty in the United States Marine Corps from 1986 to 1990. During my service, I was promoted three (3) times. I received an Honorable Discharge in 1990 as a Corporal (E4). I received a Good Conduct medal and a Sea Service Deployment ribbon with one (1) star. I was a sixth (6th) award Rifle Expert and a fifth (5th) award Pistol Expert. My primary military occupation specialty was Amphibious Assault Vehicle Repair. I also held a secondary military occupation specialty as a Marksmanship Coach where I was responsible for instructing both enlisted and commissioned personnel in basic marksmanship skills.

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

No

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

No

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

I have not had any formal complaints filed against me. I have had a total of four (4) Consumer Assistance Program inquiries made against me, three (3) as a private attorney and one (1) as an Assistant District Attorney. All of the inquiries were appropriately responded to, if required, and ultimately closed. The Board of Professional Responsibility does not consider these inquiries to be "formal complaints".

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.

Maury Chancery Court No. 92-029: Lee Edward Brooks v. Alicia Gail Brooks. I was the plaintiff in a divorce action. The final decree of divorce was entered on March 20, 1992.

Maury Circuit Court No. 5715: Lockridge & Lockridge v. Getner, City of Columbia, Columbia Police Department, Lee Edward Brooks. I was sued for damages arising out of an automobile crash that I was involved in while on duty with the Columbia Police Department. Judgment was entered in favor of the defendants on October 30, 1996.

Maury Circuit Court No. 9242: Bernard Oden v. George, City of Spring Hill, Lee Brooks. I was sued for damages incurred when Bernard Oden Sr. was held in the Maury County Jail for 17 days in error. The Maury County Grand Jury issued an indictment for "Bernard Oden" and Bernard Oden Sr. was arrested on the indictment. The indictment should have been issued for Bernard Oden Jr. I was dismissed from the suit. The entire suit was voluntarily dismissed on December 15, 2000.

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.

Giles County Veterans Association: 2022 – present; member of the Board of Directors
James K Polk Fraternal Order of Police: 2022 – present; associate member; no offices held

American Legion: 2022; no offices held

Maury County Republican Party: 2023; no offices held

Giles County Republican Party: 2023; no offices held

Lawrence County Republican Party: 2023; no offices held

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.

I belonged to the Cub Scouts and Boy Scouts of America during elementary and middle school. At that time, those organizations' membership was limited to males.

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: 2012-2018

Maury County Bar Association: 2012 – 2018

American Inns of Court, Williamson County: 2014

Tennessee Association of Criminal Defense Attorneys: 2014 – 2017

Tennessee Association of Professional Mediators: 2017

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.

While not since I graduated from law school, I received the Executive Director's Award in 2001 for graduating first in my class at the Florida Highway Patrol Training Academy with the highest grade average in the history of the academy.

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.

I ran for election for Circuit Court Judge, Division III, in the 22nd Judicial District in 2022.

ESSAYS/PERSONAL STATEMENTS

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

I am seeking this appointment to be a circuit court judge for the 22nd Judicial District because it is an opportunity to continue service to my community and achieve the pinnacle of my career. I have spent virtually all of my adult life with the philosophy of service before self as evidenced by my service to our country in the United States Marine Corps and by my service to our community as a police officer, teacher, sports official, lawyer representing indigent clients, Assistant Public Defender and Assistant District Attorney. I believe my jury trial experience both as a defense attorney and a prosecutor would be an asset to our district.

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 a circuit court judge for the 22nd Judicial District covering Maury, Giles, Lawrence, and Wayne counties. The circuit court judges in this district preside over criminal, civil, and chancery matters. The position I am seeking is a new position created to address the volume of cases in this district. The volume of cases has only been exacerbated by the backlog due to Covid. As a candidate that has jury trial experience as both a prosecutor and a defense attorney as well as experience in civil and family matters, I believe I am uniquely qualified to best serve the district in efficiently addressing the needs of the court system. I believe I would be able to quickly begin to assist the district in relieving the pressure of the backlog.

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 represented a client by appointment who was charged with a class A felony for which she was originally held on

over \$1 million bond. During my representation of her, she learned during her incarceration that she was expecting a child. My client informed me that she wanted to terminate her pregnancy. However, after multiple attempts to either reduce her bond to an amount she would be able to post or obtain the cooperation of the sheriff's department to transport her for the appropriate medical procedure failed, the statutory date eliminating the possibility of terminating her pregnancy passed while she was still incarcerated pre-trial. She was later released from custody straight to probation after entering a plea agreement to a much lower charge.

I filed a lawsuit in federal court on behalf of my client against the sheriff and county for failing to provide essential medical services to inmates in pre-trial incarceration. I filed the suit on a contingency agreement absorbing all of the costs associated with the suit. Ultimately, the suit was dismissed for violating the statute of limitations after argument before the court regarding the appropriate date to toll the statute of limitations.

I have always been and continue to be pro-life. My client's desires did not align with my personal beliefs. Despite my personal beliefs, I agreed to represent my client in this matter because under the law, as it was then, abortion was legal and my client's rights were being denied.

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. General Sessions Judge Lee Bailey; [REDACTED] Mt. Pleasant, TN 38474 [REDACTED] [REDACTED]
B. District Attorney General Robert J Carter; [REDACTED] Fayetteville, TN 37334 [REDACTED]
C. Mr. Rob Lindsey, Senior Manager Software Engineering, Quest Diagnostics; [REDACTED] [REDACTED] Columbia, TN 38401 [REDACTED]
D. Wendall Jordan Shaw, Chief Technology Officer, National Safety Council; [REDACTED] [REDACTED] Columbia, TN 38401 [REDACTED]
E. Stephen McCollum, High School Principal Christ Life Academy, [REDACTED] Columbia, TN 38401 [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] Circuit Court for the 22nd 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: June 5, 2023.



Signature

When completed, return this questionnaire to John Jefferson at the 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.

Lee E. Brooks
Type or Print Name

[Signature]
Signature

June 5, 2023
Date

031044
BPR #

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

NONE
