

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

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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 presently employed as the General Sessions and Juvenile Court Judge for Grainger County, Tennessee and as an attorney with Lowe Yeager & Brown, PLLC.

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

I have been licensed to practice law in Tennessee since 1997, and my Board of Professional Responsibility Number is 018961.

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 licensed to practice law in Tennessee, and my Board of Professional Responsibility Number is 018961. I became a licensed attorney in Tennessee on October 24, 1997. My license is currently active. I am not licensed to practice law in any other states, although I have previously been admitted to practice pro hac vice in other states on a few occasions. I am admitted to practice in the United States District Court, Eastern District of Tennessee.

4. Have you ever been denied admission to, suspended or placed on inactive status by the Bar of any State? If so, explain. (This applies even if the denial was temporary).

No.

5. List your professional or business employment/experience since the completion of your legal education. Also include here a description of any occupation, business, or profession other than the practice of law in which you have ever been engaged (excluding military service, which is covered by a separate question).

General Sessions and Juvenile Court Judge for Grainger County, Tennessee, September 1, 2014 to Present.

County Attorney for Grainger County, Tennessee, 2017 to Present.

Lowe Yeager & Brown PLLC, August 1, 2024 to Present.

I am an attorney at Lowe Yeager & Brown PLLC. The firm has a fairly diverse civil litigation and professional liability practice. My practice within the firm is devoted primarily to civil litigation, banking, real estate, transactional matters, wills and estates and governmental entity representation.

Shuttleworth, PLLC, November 1, 2010 to July 31, 2024

I was an equity member in Shuttleworth, PLLC and served as the managing attorney for its East Tennessee office at the time that I left the firm. The law firm originated in Memphis and had offices in Memphis, Nashville and Rutledge, Tennessee. The firm's practice is devoted primarily to civil litigation defense, although my practice within the firm also included practice in other areas of the law.

Wolfenbarger Law Office, 2007-2010

Prior to joining Shuttleworth, PLLC, I owned and operated a law practice in Rutledge, Tennessee. My practice was very similar to my current practice at Lowe Yeager & Brown, PLLC and to my prior practice at Shuttleworth, PLLC.

Eley & Wolfenbarger, PLLC, 2003-2007

I served as the managing partner for a multi-state law firm with offices in North Carolina and Knoxville, Tennessee. The firm's practice was devoted almost exclusively to representing plaintiffs in civil litigation.

Banks & Jones, 1997-2003

My first job as a licensed attorney practicing law was with Banks & Jones in Knoxville, Tennessee. The firm had a general practice, and my practice within the firm included, but was not limited to, representation of defendants in criminal cases and parties in domestic relations cases and civil litigation matters.

Ortale, Kelley, Herbert & Crawford, 1993-1997

I worked for Ortale, Kelley, Herbert & Crawford in Nashville, Tennessee while attending law school. The firm's practice was devoted primarily to civil litigation defense and transactional matters. During my time as an employee with the firm I worked as a runner, clerk and manager of the collections and subrogation department.

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.

Since September 1, 2014, I have served as the General Sessions and Juvenile Court Judge for Grainger County, Tennessee. I typically hold court multiple times per week. Grainger County is currently classified as a Class V County which allows me the opportunity to continue to practice law. As a result, I have continued to practice law during my entire tenure as a judge.

As a General Sessions Judge, I have jurisdiction over misdemeanor and felony criminal offenses from arrest through preliminary hearing, including, but not limited to, homicide and serious felony cases. With respect to misdemeanor offenses, I have jurisdiction to accept guilty pleas and to conduct trials of those offenses if certain rights are voluntarily waived and to impose sentences for misdemeanor convictions following a finding of guilt after a plea or trial. I routinely preside over criminal cases, which includes, but is not limited to, accepting pleas, imposing sentences, conducting preliminary hearings, having bond hearings and determining eligibility for appointed counsel for indigent defendants. I also regularly review search warrants and judicial subpoenas from law enforcement officials regarding ongoing criminal investigations.

In civil proceedings, I have jurisdiction to hear and decide cases wherein the amount in controversy is less than twenty-five thousand dollars, unlawful detainer cases, actions to recover personal property and order of protection cases, and I routinely hear and decide such cases.

As a Juvenile Court Judge, I have jurisdiction to hear and decide cases involving juveniles charged with delinquent offenses, unruly offenses, dependent and neglected children, abused children, cases to terminate parental rights, cases to determine child custody for children born out of wedlock, and many cases involving the Department of Children's Services, and I routinely hear and decide such cases.

Based upon data provided to me from the clerk's office, it is estimated that I have presided over more than 39,000 cases during my time as the General Sessions and Juvenile Court Judge for Grainger County. The percentage of each type of case in relation to the total number of cases over which I have presided is as follows:

Criminal 42%

Traffic 33%

Civil 19%

Juvenile 6%

I estimate the percentages of time devoted to cases in each area of law over which I preside as a judge to be as follows:

Criminal 30%

Juvenile 30%

Civil 25%

Traffic 15%

With respect to my law practice, I accepted a position as an attorney at Lowe Yeager & Brown, PLLC on August 1, 2024. The firm is based in Knoxville, Tennessee, although I typically work from my law office in Rutledge, Tennessee. The firm's practice is primarily devoted to civil litigation and professional liability defense. My present law practice includes civil litigation, wills and estates, banking, real estate and transactional law. I represent local farmers, local property developers and individual clients with various legal matters, and I have institutional clients that include a local bank, a national retail store chain and a county government. I serve as panel counsel in East Tennessee for some of these institutional clients, and I have been designated as the County Attorney for Grainger County, Tennessee by the Grainger County Commission and have served in such capacity as part of my law practice since being appointed by the Grainger County Commission in 2017.

From 2010 until July 31, 2024, I was a member attorney in the East Tennessee office of Shuttleworth, PLLC. The firm is a statewide law firm that originated in Memphis, Tennessee and had offices in Memphis, Nashville, Knoxville and Rutledge, Tennessee. I was an equity member of the firm and the managing attorney for the East Tennessee office at the time of leaving to accept an offer from Lowe Yeager & Brown, PLLC. My practice at Shuttleworth, PLLC was very similar to my current practice. While at Shuttleworth, PLLC I represented individual clients, a local bank, large insurance companies, national quick serve restaurant chains and a national retail store chain. I served among panel counsel in East Tennessee for some of these institutional clients that are large, national corporations that are headquartered elsewhere. I also represented local farmers, local property developers and local individual clients with various legal matters.

I estimate the percentages of areas of law in which I currently practice to be as follows:

Civil Litigation 50%

Real Estate and Transactional Law 15%

Government Entity Representation 15%

Wills and Estates 10%

Banking 10%

- [REDACTED]
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.

Since serving as General Sessions and Juvenile Court Judge for Grainger County, Tennessee since September 1, 2014, I have presided over thousands of cases, many of which resulted in trials wherein I was the finder of fact, decided the case, and pronounced judgment. These cases have been criminal cases, civil cases and juvenile cases.

During the course of my legal career as a licensed and practicing attorney, I have gained experience in trial courts, appellate courts, administrative, legislative or regulatory bodies and with transactional matters of varying complexity. I have served as counsel of record in many cases in state and federal courts in Tennessee, and I have been admitted pro hac vice in cases that were pending in other states. I have served as trial counsel in multiple jury and non-jury cases, many of which were tried to jury verdict or judgment. I have tried cases in various Circuit, General Sessions and Chancery Courts in Tennessee and in the United States District Court for the Eastern District of Tennessee. As counsel in these cases, I have drafted many pleadings, motions, briefs, discovery requests and responses to all of the same. I have argued many motions in court, participated in discovery, participated in mediations and taken many depositions of parties, witnesses and experts. Additionally, I have appeared and argued cases in the Tennessee Court of Appeals and had several of my juvenile court decisions affirmed on appeal in the Tennessee Court of Appeals.

I have experience representing both plaintiffs and defendants in civil litigation. I have represented both plaintiffs and defendants in automobile accident cases, motorcycle accident cases, truck accident cases, wrongful death cases, premises liability cases, and worker's compensation cases. I have represented parties in tort cases and in contract cases. I have represented parties in healthcare liability cases, domestic relations cases, real property cases, boundary disputes, easement cases, nuisance cases, will contests, and criminal cases. I have served as counsel to clients with regard to their wills and estates and have experience with probate proceedings and drafting wills, powers of attorney and estate planning documents. I have represented clients with respect to real estate and transactional matters. I have served as city attorney for a municipal government and as county attorney for a county government. I have represented parties in administrative hearings such as government benefit proceedings and annexation proceedings. I have represented individual parties, and I have served as local panel counsel to large, national corporations that are quick serve restaurant chains, retail store chains and insurance companies.

I previously served as the City Attorney for the City of Blaine, Tennessee for a number of years prior to my election as General Sessions and Juvenile Court Judge for Grainger County in 2014, and I have been designated as County Attorney for Grainger County, Tennessee since 2017. In such capacities, I have appeared before local legislative bodies on multiple occasions and participated by answering questions or providing information or advice regarding laws, legislative processes and proposed resolutions or ordinances. I have been involved in negotiating, reviewing and drafting resolutions, ordinances, contracts, leases, interlocal agreements and in representing Grainger County in litigation.

As a part of my law practice, I routinely provide representation and advice to a multi-branch banking institution as well as to clients that are local farmers, property developers and/or individuals who need legal assistance. These services often include, but are not limited to, research regarding property titles and drafting or reviewing contracts, deeds, easements, restrictive covenants, surveys, plats, documents and other materials relevant to completing the desired transactional or other legal matters.

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

Juvenile Courts are courts of record in Tennessee, and I have presided over several cases wherein my decisions were affirmed on appeal by the Tennessee Court of Appeals. I have also argued cases before the Tennessee Court of Appeals as an attorney. These representative cases include, but are not limited to, the following:

Katherine Mechelle Stooksbury v. Matthew D. Varney; E2021-01449-COA-R3-JV

This case is a child support case that I heard by interchange for Knox County Juvenile Court Judge Tim Irwin. The Tennessee Court of Appeals affirmed my decision in the case and stated in relevant part “This appeal had no prospect of success...Accordingly, we exercise our discretion to grant Mother’s request for attorney fees and costs in defense of this appeal because Father’s appeal was so devoid of merit as to be characterized as frivolous.”

In Re Cayson C., et al.; E2022-00448-COA-R3-PT

This case is a termination of parental rights case. The Tennessee Court of Appeals affirmed the decision that I made in the case terminating the parental rights of the parents. The Tennessee Court of Appeals stated in pertinent part “We find, as did the Juvenile Court, that abandonment by failure to support was proven against Mother by clear and convincing evidence... We find, as did the Juvenile Court, that the ground of substantial noncompliance with the permanency plans was proven against Mother by clear and convincing evidence... we find, as did the Juvenile Court, that the ground of persistent conditions was proven against Mother by clear and convincing evidence... we find, as did the Juvenile Court, that the ground of severe child abuse

was proven against Mother by clear and convincing evidence...The Juvenile Court made detailed findings, which are quoted above, considering each of the statutory best interest factors found at Tenn. Code Ann. § 36-1-113(i). The evidence does not preponderate against the Juvenile Court's findings relative to the Children's best interest. We find by clear and convincing evidence, as did the Juvenile Court, that termination of Mother's parental rights is in the Children's best interest."

In Re Terry E, et al.; E2020-01572-COA-R3-PT

This case is a termination of parental rights case. The Tennessee Court of Appeals affirmed the decision that I made in the case terminating the parental rights of the parents. In doing so, the Tennessee Court of Appeals held in relevant part: "In its termination order, the trial court found, by clear and convincing evidence, that Mother abandoned the Children through her failure to provide a suitable home...We agree with the trial court that this ground was sufficiently established...We accordingly affirm the trial court's reliance on this ground for termination." With respect to the ground of Substantial Noncompliance with the Permanency Plan Requirements, the Tennessee Court of Appeals stated "The trial court's termination order reflects that the court considered the responsibilities under the permanency plan reasonable to resolving the issues that prompted the Children's removal, and it determined that Mother had been 'substantially noncompliant with the statements and responsibilities set out...in the permanency plans.' We agree with the trial court that this ground was sufficiently established." As to the ground of Persistent Conditions, the Tennessee Court of Appeals stated "The record supports the trial court's determinations...we affirm the trial court's reliance on this ground for termination." Regarding the best interests analysis, the Tennessee Court of Appeals stated "We agree with the trial court that there is clear and convincing evidence that termination is in the Children's best interests."

In Re Kash F.; E2019-02123-COA-R3-PT

This is a termination of parental rights case. The Tennessee Court of Appeals affirmed the decision that I made terminating the parental rights of the parent stating "Following a bench trial, the trial court found that clear and convincing evidence existed to establish the following statutory grounds of termination: (1) wanton disregard for the child's welfare; (2) substantial noncompliance with the permanency plan; (3) severe child abuse; and (4) failure to manifest an ability and willingness to parent. The court also found that termination was in the best interest of the child. We affirm the trial court."

In Re Adaleigh M., et al.; E2019-01955-COA-R3-PT

This is a termination of parental rights case. The Tennessee Court of Appeals affirmed the decision that I made terminating the parental rights of the parents finding that clear and convincing evidence existed to terminate the parent's parental rights on the grounds of abandonment, substantial noncompliance with the permanency plan, persistence of conditions and severe abuse. The Tennessee Court of Appeals also affirmed my decision that termination of parental rights was in the best interests of the children.

Hilda Willis, et vir. v. McDonald's Restaurants of Tennessee, Inc.; E2015-00615-COA-R3-CV

I represented McDonald's Restaurants of Tennessee, Inc. in this premises liability case. The trial court granted the motion for summary judgment that I filed on behalf of my client on the issue of liability as a result of the Plaintiff being unable to identify a dangerous or defective condition that caused her to slip and fall upon my client's property and/or that the plaintiff could not prove that my client had notice of any alleged dangerous condition prior to the fall. The Tennessee Court of Appeals affirmed the decision of the trial court granting my client summary judgment.

State of Tennessee v. Tracy Miller; Grainger County General Sessions Court No. 2016-CR-1/Grainger County Circuit Court No. 5835

This was a homicide case that originated in the General Sessions Court for Grainger County, Tennessee. I bound the case over to the grand jury following a preliminary hearing after finding that probable cause existed to believe that the defendant committed the crime with which they were charged.

State of Tennessee v. Daniel Peters; Grainger County General Sessions Court No. 2018-CR-780/Grainger County Circuit Court No. 6253

This was a homicide case that originated in the General Sessions Court for Grainger County, Tennessee. I bound the case over to the grand jury following a preliminary hearing after finding that probable cause existed to believe that the defendant committed the crime with which they were charged.

State of Tennessee v. Travis Peters; Grainger County General Sessions Court NO. 2018-CR-773/Grainger County Circuit Court No. 6254

This was a homicide case that originated in the General Sessions Court for Grainger County, Tennessee. I bound the case over to the grand jury following a preliminary hearing after finding that probable cause existed to believe that the defendant committed the crime with which they were charged.

State of Tennessee v. Avery Gibson; Grainger County General Sessions Court No. 2021-CR-268/Grainger County Circuit Court No. 6579

This was a double homicide case that originated in the General Sessions Court for Grainger County, Tennessee. I bound the case over to the grand jury following a preliminary hearing after finding that probable cause existed to believe that the defendant committed the crime with which they were charged.

State of Tennessee v. Alice Comerford; Grainger County General Sessions Court No. 2022-CR-785/ Grainger County Circuit Court No. 6708

This was a homicide case that originated in the General Sessions Court for Grainger County, Tennessee. I bound the case over to the grand jury following a preliminary hearing after finding

that probable cause existed to believe that the defendant committed the crime with which they were charged.

State of Tennessee v. Dilan McFall; Grainger County General Sessions Court No. 2023-CR-1226/Grainger County Circuit Court No. 6832

This was a homicide case that originated in the General Sessions Court for Grainger County, Tennessee. I bound the case over to the grand jury following a preliminary hearing after finding that probable cause existed to believe that the defendant committed the crime with which they were charged.

State of Tennessee v. Aaron White; Grainger County General Sessions Court No. 2024-CR-855 and 856/Grainger County Circuit Court No. 6887

This was a double homicide case that originated in the General Sessions Court for Grainger County, Tennessee. I bound the case over to the grand jury following a waiver of preliminary hearing.

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

- Based upon my review of data from our court clerk's office, I estimate that I have presided over in excess of 7,400 civil cases, 16,200 criminal cases, 2,300 juvenile cases and 13,000 traffic cases during my career as a judge. I have also filled in to hear conflict cases in each of the other counties in the Fourth Judicial District for their General Sessions Judges as well as other General Sessions and Juvenile Judges throughout East Tennessee. I have filled in to hear conflict cases or dockets for other General Sessions or Juvenile Court Judges in Sevier, Cocke, Jefferson, Knox, Greene, Hamblen, Hawkins, Union, Claiborne, Blount and Anderson Counties during my tenure at the request of these fellow judges or at the request of the Administrative Office of the Courts, or both.
- During my time as General Sessions and Juvenile Court Judge for Grainger County, and with the assistance of the Grainger County Sherriff and the Grainger County Circuit and General Sessions Court Clerk, and due in part to the Covid-19 pandemic, we were able to successfully install and utilize remote videoconferencing technology which has enabled me to conduct hearings remotely and to conduct video arraignments of inmates in criminal cases, which includes, but is not limited to, video proceedings on weekends and holidays when necessary.
- Since serving as General Sessions and Juvenile Judge for Grainger County, I have implemented a CASA program in our juvenile court through Lakeway Area CASA, and I am honored to have been invited to speak at their local events and at their annual gala in March of 2024. I have found the dedicated work of CASA volunteers to be very helpful in reaching decisions in cases that protect and promote the best interests of the

children that we serve in juvenile court, and I support the mission of this excellent organization.

- In 2017, I was honored to have hosted the first ever expungement clinic in Grainger County and, upon information and belief, the first ever expungement clinic involving the University of Tennessee College of Law Legal Clinic. This expungement clinic was conducted in conjunction with the Knoxville Bar Association Access to Justice Committee, the University of Tennessee College of Law Legal Clinic and the Tennessee Faith and Justice Alliance and was hosted at Rutledge Baptist Church where I am a member and former Deacon. This event was subsequently featured in the June 2017 edition of *Dicta*, a monthly publication of the Knoxville Bar Association.
- A few years ago I met with our local school board, school administrators and educators to request that our local school system adopt, implement, and enforce a particular and more vigorous school attendance and truancy policy, and our local school board adopted the policy that I proposed. Since the time of adoption of the school attendance and truancy policy that I proposed, chronic absenteeism for our school system as a whole has decreased by twenty-one percent.
- I recently partnered with McNabb Center to implement a jail to work program whereby eligible female inmates in our jail can apply for acceptance into a program that is funded from part of the funds received from the opioid abatement fund received as a result of an opioid class action settlement. This program is in its infancy, but it is my understanding that this comprehensive program will provide the accepted inmates with substance abuse rehabilitation services, independent living skills, etiquette training, vocational training and ultimately pair them with available or participating employers upon their successful completion of the program.
- I previously served as a speaker and panelist at a continuing legal education seminar entitled *Ain't Behavin: What not to do, a view from the bench* that is an annual seminar presented by the Knoxville Bar Association which features a panel of judges from various local general sessions, juvenile, circuit, criminal, chancery and/or appellate courts who describe best practices for practicing in their courts to attorneys.
- I previously completed training and was certified as a Tennessee Supreme Court Rule 31 Civil Mediator, although my certification has since lapsed and is no longer active.

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

None.

EDUCATION

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

Nashville School of Law 1993-1997, Juris Doctor

University of Tennessee 1989-1991, Bachelor of Arts in History

Walter's State Community College 1988-1989, General Studies – I transferred to the University of Tennessee to complete my college education and degree requirements.

Tennessee Technological University 1987-1989, Business Administration – I transferred to Walter's State Community College to be closer to home while completing collegiate core requirements.

PERSONAL INFORMATION

12. State your date of birth.

[REDACTED]

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

Fifty-Five years.

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

Seventeen years.

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

Grainger County, Tennessee.

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

None.

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.

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.

I was a party previously in a conservatorship case filed in the Chancery Court for Grainger County, Tennessee styled *In re: Conservatorship of Cole Wolfenbarger* and assigned docket number 2020-CH-70. My wife and I have a son named Cole Wolfenbarger who is on the autism spectrum, and she and I were the petitioners in this proceeding to have ourselves appointed as his co-conservators.

I was previously named as a party in a case filed in the United States District Court, Eastern District of Tennessee. The case was styled *Elizabeth Anne Pauley and Joshua Soller v. Steven Wolfenbarger, Sherry Clifton, James Harville and Jennifer Stalans*. The case was filed on August 23, 2021 and was assigned docket number 3:21-cv-302. The case was a pro se complaint filed by parties who had been tenants and named defendants in an unlawful detainer action which was tried in the General Sessions Court for Grainger County. I was the judge who presided over the case and granted a judgment for possession to the plaintiff landlord. After execution of a writ of possession, the pro se defendants in the unlawful detainer action filed a pro se suit in federal court and named myself, the Circuit and General Sessions Court Clerk for Grainger County, the Grainger County Sheriff and a Deputy Court Clerk as parties. The case was devoid of merit and was dismissed as to all parties for failure to state a claim for which relief could be granted on December 9, 2021 before responsive pleadings were ever filed.

I previously served as the administrator of the estate of my deceased uncle Michael Wolfenbarger. This estate was opened and probated in the Chancery Court for Grainger County, Tennessee and assigned docket number 2021-PR-75.

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.

Tennessee Council of Juvenile and Family Court Judges, Executive Committee Member

Tennessee General Sessions Judges Conference, Education Committee Member and Legislative Committee Member

Tennessee Bar Foundation, Fellow

Tennessee Bar Association

Grainger County Bar Association

Knox County Bar Association

Adaptive Scuba Knoxville, Member of Board of Directors

River Ranch on the Holston Homeowner's Association, Member of Board of Directors

Volunteer Housing Development Corporation, Member of Board of Directors

Rutledge Baptist Church, Member and former Deacon

Upon information and belief, my service on the following boards of directors expired more than five years ago, but I am a past member of the board of directors for the following organizations:

Douglas Cherokee Economic Authority

Grainger County Little League

Grainger County Summer Concert Series

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 Council of Juvenile and Family Court Judges, 2014 to present. Executive Committee Member.

Tennessee General Sessions Judges Conference, 2014 to present. Education Committee Member and Legislative Committee Member.

Tennessee Bar Foundation Fellow, 2023 to present.

Tennessee Bar Association, 1997 to present.

Grainger County Bar Association, 2009 to present.

Knoxville Bar Association, 1997 to 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.

- When running for re-election as the General Sessions and Juvenile Judge for Grainger County in 2022, I received a written and signed public endorsement from all of the Circuit Court Judges for the Fourth Judicial District which read “Grainger County Circuit Court Judges James L. Gass, Carter S. Moore, Rex Henry Ogle and O. Duane Slone of the Fourth Judicial District are jointly and publicly endorsing Grainger County General Sessions and Juvenile Court Judge Lane Wolfenbarger in his re-election campaign. Since taking the bench on September 1, 2014, Judge Lane Wolfenbarger has worked tirelessly for the citizens of Grainger County and has served with honor and distinction. During his tenure, Judge Wolfenbarger has repeatedly demonstrated efficiency in his work, appropriate judicial temperament and demeanor, keen knowledge of the law, integrity and an unyielding commitment to the principles of fairness, justice and the citizens of Grainger County. We are pleased to fully endorse Judge Lane Wolfenbarger in his campaign for re-election as Grainger County General Sessions and Juvenile Court Judge.” These judges followed their written endorsement by attending one of my campaign events, taking the stage and taking individual turns speaking to the crowd in support of my re-election as General Sessions and Juvenile Court Judge for Grainger County. It was a tremendous honor to be publicly endorsed by all of the Circuit Court Judges for the Fourth Judicial District, and I was very humbled by their support. It would be a great honor to now serve alongside them, Jeff Rader and Adrienne Waters-Ogle, the most recent appointees to the Circuit Court for the Fourth Judicial District. It would also be a tremendous honor to succeed Judge Duane Slone.
- Also, when running for re-election as the General Sessions and Juvenile Judge for Grainger County in 2022, I received a written public endorsement from the Police Benevolent Association. This organization subsequently paid to run advertisements of its written endorsement of my campaign in the Grainger Today newspaper. It was a great honor to receive the endorsement of this excellent law enforcement organization.
- I received greater than eighty-two percent of the vote in a contested Republican primary when running for re-election as the General Sessions and Juvenile Judge for Grainger County in 2022 and was very honored to have led the ticket by receiving the highest vote total of any candidate on the ballot in the Grainger County general election in August of 2022. These vote totals resulted in large part from the public endorsements and support that our campaign received and from the dedicated efforts of our campaign volunteers and supporters, and I am extremely grateful for the amount of support that our campaign received.

- I currently serve as a Director on the Executive Committee for the Tennessee Council for Juvenile and Family Court Judges. I am one of seven juvenile and family court judges from across the State of Tennessee who serve as Directors on the Executive Committee. Judge Jeff Rader, a recently appointed Circuit Court Judge for the Fourth Judicial District, and I, worked together as Executive Committee Directors from East Tennessee prior to Judge Rader's appointment as a Circuit Court Judge. The Executive Committee for the Tennessee Council for Juvenile and Family Court Judges functions primarily to work with fellow judges, the Administrative Office of the Courts, our lobbyist, and members of the Tennessee legislature regarding proposed legislation, existing laws and judicial information and resources. I am very honored to serve on the Executive Committee of the Tennessee Council for Juvenile and Family Court Judges, and my position on the board was unsolicited and resulted from being nominated by Judge Jeff Rader and voted upon by fellow judges throughout Tennessee. I was re-appointed by my fellow Juvenile and Family Court Judges from across the state to an additional four year term on the Executive Committee at our most recent conference on August 26, 2024.
- I currently serve as a committee member on both the Education Committee and on the Legislative Committee for the Tennessee General Sessions Judges Conference. The Education Committee is responsible for determining content and arranging speakers for substantive content at our annual General Sessions Judges conferences. The Legislative Committee functions primarily to work with fellow judges, the Administrative Office of the Courts, our lobbyist, and members of the Tennessee legislature regarding proposed legislation, existing laws and judicial information and resources. I am very honored to serve on the Education and Legislative Committees of the Tennessee General Sessions Judges Conference, and my position on these committees was unsolicited and resulted from being asked to serve and appointed by Judge James Ross, the President of the Tennessee General Sessions Conference.
- I was inducted as a Fellow in the Tennessee Bar Foundation in its class of 2023. The organization's stated purposes are to recognize attorneys and judges who have distinguished themselves in the community and the profession and to administer a grant making program. The Tennessee Bar Foundation has awarded grants in excess of \$27,000,000.00 to law-related, public interest projects throughout Tennessee. I was one of 29 attorneys or judges from across the State of Tennessee to be inducted into the 2023 class of Fellows. I was very honored to be nominated by Jacqueline Dixon, the current Chair of the Board of Trustees for the Tennessee Bar Foundation and past president of the Tennessee Bar Association and Tennessee Lawyers Association for Women, and to be accepted as a Fellow in the Tennessee Bar Foundation as the same was unsolicited and the result of being nominated by Ms. Dixon and voted upon by peers.

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 was elected as General Sessions and Juvenile Court Judge for Grainger County, Tennessee in 2014, and I won re-election to the same position in 2022. I currently serve as the General Sessions and Juvenile Court Judge for Grainger County, Tennessee.

I currently serve as the county attorney for Grainger County, Tennessee and have served in this capacity since being appointed by the county legislative body in 2017.

I was previously appointed as the city attorney for the City of Blaine, Tennessee by its mayor and board of aldermen and served in that capacity from approximately 2002 until I resigned from the position following my election as General Sessions and Juvenile Court Judge for Grainger County, Tennessee in 2014.

ESSAYS/PERSONAL STATEMENTS

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

I want to serve the people of the Fourth Judicial District. I have had the privilege of serving as a member of the judiciary for the past ten years and have seen the positive impact that the judiciary can have upon our community. I have great respect for our legal system. My father was a judge for thirty-two years, and it was an honor to succeed him. Similarly, I hold Judge Duane Slone in very high regard, and it would be an honor to succeed him. I want to be part of the solution to the issues that are addressed in our court system by serving as a full-time judge. I believe that my experience as a judge over the past ten years and as a practicing attorney for the past twenty-six years has qualified me to serve the citizens of the Fourth Judicial District as a Circuit Court Judge.

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 Court Judge for Division IV of the Fourth Judicial District of Tennessee serving Cocke, Grainger, Jefferson and Sevier Counties. The Fourth Judicial District of Tennessee is currently served by five Circuit Judges. This court has jurisdiction over jury and non-jury criminal and civil cases. If appointed to this position, I will use my extensive experience as a judge and attorney to impact the court in a positive manner by working hard, treating all parties fairly and applying the law uniformly to the facts of each case. It would also be an honor to be the only resident of Grainger County to hold one of the Circuit Judge positions and to succeed the Honorable Judge O. Duane Slone who held this position until his recent and unexpected passing. Although Judge Slone is irreplaceable, I would endeavor to continue the excellent programs initiated by Judge Slone.

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)

Yes, I will uphold the law even if I disagree with the substance of the law at issue. As a judge, I have a professional and ethical duty to uphold the law. When I took office I swore an oath to uphold the law, and I abide by this oath with great conviction. I serve as a member of the Executive Committee for the Tennessee Council of Juvenile and Family Court Judges and on the Legislative Committee for the Tennessee General Sessions Judges Conference. In these roles, I have worked with the Executive Committee, the Legislative Committee, the Administrative Office of the Courts and/or our lobbyist regarding proposed legislation that would change existing law in ways that affect our judicial system in Tennessee. Some of the legislation that has been proposed or passed has included items about which I, personally, and/or the committees on which I serve, or both, had some disagreement or concern. Some examples are proposed or passed legislation that infringes upon matters of judicial discretion, legislation that potentially places the children that we serve in juvenile court in difficult circumstances and/or legislation that imposes requirements upon smaller counties that are very difficult to comply with due to a lack of available services and resources. However, I have, and will, always uphold the law as written regardless of my personal feelings. As a judge, I must uphold the law or else risk the public erosion of confidence in our legal system that I regard so highly.

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. Honorable Rex Henry Ogle, Circuit Court Judge of Part III of Fourth Judicial District, [REDACTED]

B. Honorable Jeff Rader, Interim Circuit Court Judge of Part III of Fourth Judicial District, 125 Court Avenue, Suite 109, Sevierville, TN 37862 [REDACTED]

C. Honorable Andrew Brigham, General Sessions and Juvenile Judge for Stewart County, Tennessee, Chair of the Tennessee Board of Judicial Conduct, President of the Tennessee Council for Juvenile and Family Court Judges, [REDACTED]

D. Mr. Terry Acuff, Retired Director of Grainger County Schools, [REDACTED]

E. Ms. Kelley Williams, Executive Director of Jefferson County Habitat for Humanity, Former Director of Lakeway CASA, [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 Part IV of the Circuit Court for 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: October 16, 2024.


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.

Lane Wolfenbarger

Type or Print Name



Signature

October 16, 2024

Date

018961

BPR #

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

None.