

**Tennessee Judicial Nominating Commission**  
***Application for Nomination to Judicial Office***

*Rev. 22 December 2011*

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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 seventeen (17) paper copies to the Administrative Office of the Courts. Please e-mail a digital copy to [debra.hayes@tncourts.gov](mailto: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.

Judge – Smyrna Municipal-General Sessions Court, Town of Smyrna

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

Year Licensed: 2002

BOPR #: 022144

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.

State: Tennessee, BOPR# 022144

Licensure Date: November 5, 2002

Status: 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).

Judge – Smyrna Municipal-General Sessions Court (2006-Present)

Staff Attorney – Bass, Berry & Sims, PLC (2004-2006)

Associate – Waller Lansden Dortch & Davis, PLLC (2002-2004)

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 continuously employed 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.

I adjudicate three different types of cases in the Smyrna Municipal-General Sessions Court.

- (1) 70% of my time is dedicated to criminal matters. Our court has general sessions jurisdiction over state crimes committed in Smyrna by special legislation. I conduct misdemeanor bench trials, review and enter misdemeanor plea agreements, and conduct preliminary hearings for misdemeanor and felony charges.
- (2) 20% of my time is dedicated to traffic offenses.
- (3) 10% percent of my work involves adjudicating alleged violations of the Smyrna Municipal Code.

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.

### Civil Litigation

As an attorney, I handled a wide range of civil litigation matters in state and federal court. I litigated cases involving contract law, personal injury, torts, and pharmaceutical litigation. I conducted discovery, depositions, mediations, settlement discussions, trial preparation, and trial for these matters. I also handled appeals, appellate briefs, and oral arguments for these cases. I have successfully prepared and argued motions for injunctive relief in various types of cases.

I have appeared in cases before the Tennessee Supreme Court, the Tennessee Court of Appeals, The United States District Court for the Middle District of Tennessee, The United States District Court for the Western District of Tennessee, The United States District Court for the Eastern District of Tennessee, Davidson County Chancery Court, Davidson County General Sessions Court, Davidson County Circuit Court, and several other state and federal courts outside of the state of Tennessee.

### Employment Litigation

I handled a substantial number of employment-related cases that alleged discrimination based on sex, race, religion, sexual orientation, and disability. I also handled sexual harassment and hostile work environment suits. I conducted discovery, depositions, mediations, settlement discussions, trial preparation, and trial for these matters. I also prepared documents for submission to the EEOC (Equal Employment Opportunity Commission) on behalf of our clients.

### Employment Law Training and Consultation

My practice included providing advice to employers regarding compliance with state and federal employment laws. I also conducted discrimination and harassment training sessions for our clients' employees in order to prevent them from exposing the employer to liability. Also, I was a frequent seminar presenter on various employment law-related topics.

### Real Estate Transactions

I prepared many real estate contracts and documents in connection with real estate transactions for clients.

### Workers' Compensation

I handled workers' compensation cases for our clients. I conducted discovery, depositions, settlement discussions, and appellate briefs and arguments for these matters.

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

I was a part of a team of lawyers that coordinated the defense of a pharmaceutical liability class action lawsuit filed against a client nationwide in federal court. My duties included

managing a team of lawyers and paralegals charged with defending the lawsuit.

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.

On August 3, 2006, I was elected by the people of Smyrna, TN to an eight year term as presiding judge of the Smyrna Municipal-General Sessions Court. Our court handles criminal matters, municipal code violations, and traffic offenses. I am the only judge, and the judgeship is a full-time job. In addition to conducting bench trials, preliminary hearings, and entering settlement pleas, my duties include supervising judicial commissioners, office staff, and traffic school instructors.

Noteworthy cases:

*A. State v. Starnes*

1. February 2007 –April 2007
2. Smyrna Municipal-General Sessions Court
3. The defendants were charged with first degree murder.
4. The defendants allegedly shot and killed a young woman they intended to rob during a drug deal. I presided over the preliminary hearing and found that the state presented enough evidence to support a finding of probable cause.

*B. State v. McGlory*

1. June 2007 –August 2007
2. Smyrna Municipal-General Sessions Court
3. The defendants were charged with attempted murder.
4. The defendants allegedly attempted to kill three teenage boys by blocking their vehicle and firing a weapon into the car. I presided over the preliminary hearing and found that the state presented enough evidence to support a finding of probable cause.

C. *State v. Roe & Magaddino*

1. July 2012
2. Smyrna Municipal-General Sessions Court
3. The son was charged with first degree murder, and both the mother and son were charged with abuse of a corpse and tampering with evidence.
4. The son allegedly shot his mother's boyfriend, and the mother allegedly helped him dump the body near a local boat ramp. I set bond for the defendants and presided over their arraignment and preliminary hearing waiver.

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.

Not applicable.

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

I have spent many days in training classes, conferences, and seminars specifically geared towards judges and their performance on the bench. I attend 2 Tennessee municipal judge training conferences and 2 general sessions judge conferences every year. I attended a Tennessee trial judge conference a few years ago. This adds up to more than 20 judicial training and education conferences that have equipped me with information from top legal minds, judges, attorneys, and legal educators.

Most recently, I spent a full week in a training course with the National Judicial College entitled "Enhancing Judicial Bench Skills". It is the most rewarding and informative judicial training course I have attended to date. The National Judicial College is considered the nation's leading organization for the education of judges. The course topics we studied included dealing with difficult people in the courtroom, applying contempt powers from the bench with confidence and restraint, avoiding bias and the appearance of bias, decision-making skills, innovative jury management techniques, courtroom security, handling self-represented litigants ethically and effectively, and managing judicial stress. I returned from the conference feeling refreshed, informed, and feeling like I am an even better judge because of what I learned.

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.

Tennessee Court of Appeals, Middle Division

November 15-16, 2007

The Commission did not submit my name to the Governor as a nominee.

### 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.

Mercer University (1994-1998) Bachelor of Arts *cum laude*, English major

University of Tennessee College of Law (1999-2002) Juris Doctor

- ***Tennessee Law Review*** – Student Materials Editor
- 2002 Ray Jenkins Trial Competition – Winner
- 2002 Moot Court Advocate’s Prize Competition – Second Place
- 2001 National Trial Team Member
- **Frank Ennix Award for Excellence**
- Moot Court Board member
- Dean’s List several semesters
- Waller Lansden Dortch & Davis Academic Scholarship Recipient
- Advocacy Clinic - I won my first real trial in this clinic representing a single mother against a landlord who failed to repair and clean a rental home that had fallen into deplorable conditions after a flood.

**PERSONAL INFORMATION**

15. State your age and date of birth.

Age: 36

Date of Birth: July 2, 1976

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

14 years. (I lived in Tennessee for 18 years before attending Mercer University in Macon, Georgia. I returned home to Tennessee in between semesters. I returned home to Tennessee immediately after college, and have lived here continuously for 14 years with the exception of a 6 week legal clerkship in Atlanta, Georgia with the law firm of Troutman Sanders. I have maintained my status as a Tennessee resident my entire life.)

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

10 years.

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

Rutherford County.

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.

Not applicable.

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.

No.

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.

No.

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 entity including those listed above.

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.

No.

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

No.

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.

No.

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.

- Rotary Club of Smyrna – Club Board of Directors and Club Foundation Board Member (2007-2012)
- Delta Sigma Theta Sorority, Inc., Rutherford County Alumnae Chapter – Parliamentarian (2006-2007)

- Junior League of Murfreesboro, Community Advisory Council
- Nashville Metro Board of Ethical Conduct (2004-2006)
- Boys and Girls Club Community Advisory Committee (2011)
- Smyrna High School Accreditation Committee
- MTSU Honors College Board of Visitors

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.

Yes.

- a. Delta Sigma Theta Sorority, Inc. limits membership to women because it is a sorority that is historically dedicated to sisterhood. I have attended a Tennessee judicial conference where Timothy Discenza (Disciplinary Counsel for the Board of Judicial Conduct), has stated that membership in a sorority is not in conflict with the Judicial Ethics Code.
- b. Membership is a lifetime commitment to community service and sisterhood. Programs and community service projects we sponsor are geared towards helping men, women, and children.

### **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.

- Rutherford & Cannon County Bar Association (2006-Present)

- Lawyers' Association for Women, Marion Griffin Chapter, Nashville (2005-Present)
- Napier Looby Bar Association (2002-Present) –Executive Board (2002)
  - Boys & Girls Law Camp Volunteer Judge (2011-2012)
- Nashville Bar Association (2003-2006)
  - Subcommittee Chair, Damali Booker First Year Minority Clerkship Job Fair (2006-2007)
- Tennessee Bar Association (2002-Present)
  - Volunteer Mock Trial Team Coach (2003-2005)
  - Leadership Law Steering Committee Member (2008-2010)

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.

- J.C. Napier Trailblazer Award 2012 (for excellence in the profession) – Napier Looby Bar Association
- Leadership Law Class of 2008 – Tennessee Bar Association
- She of Middle Tennessee Honoree 2012 – The Daily News Journal
- Favorite Elected Official in Smyrna 2010 – The Daily News Journal Poll
- African-American History Month Honoree 2007 – Omega Psi Phi Fraternity, Inc.
- Distinguished Service Award 2008 – Top Ladies of Distinction, Inc. Nashville Chapter

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

“The New FLSA Overtime Regulations in a Nutshell” The Job Description – The DRI Newsletter for the Defense Bar (Summer 2004 Edition).

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.

The New Judicial Ethics Rules: What Lawyers Need to Know (June 2012)

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.

Judge – Smyrna Municipal-General Sessions Court (2006-Present) - Elected

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

No.

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.

1. Judicial Opinion in the case of Town of Smyrna v. Perry Bell – I drafted this opinion without assistance.
2. The New DOL Overtime Regulations in a Nutshell – I drafted this article. I incorporated some notes and suggestions from another lawyer in my firm.

### **ESSAYS/PERSONAL STATEMENTS**

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

I am applying for this position because I want to continue the tradition of excellence established by the current and previous circuit court judges that have served the 16<sup>th</sup> Judicial District. I believe that judges should serve with humility, courtesy, integrity, fairness, wisdom, and respect for the law. I have strived to use these attributes on the bench every day over the past 6 years as a judge, and I want to apply what I have practiced to the circuit court. I have the desire to serve our district in this role and the necessary experience to make legally sound and fair decisions on cases brought before the Rutherford and Cannon County Circuit Court.

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 have demonstrated my commitment to equal justice under the law by taking extra steps to equip myself with the knowledge and training I believe a good judge needs in order to be informed, effective, and fair. For example, shortly after I was elected to the bench 6 years ago, I attended a domestic violence conference and then sought out individual meetings with our Police Chief, the District Attorney, the Public Defender, and a victim's advocate regarding innovative and more effective ways to handle domestic violence cases.

I have provided pro bono services to many indigent individuals. For example, I gave advice and child support calculations to a young woman leaving an abusive marriage, and I represented an indigent eighteen year old on a non-violent criminal charge because he was remorseful and I believed he could be rehabilitated by the AmeriCorps program that accepted him.

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)*)

The 16<sup>th</sup> Judicial District Rutherford/Cannon County Circuit Court has jurisdiction over civil and criminal suits filed in Rutherford and Cannon Counties covering various types of cases including torts, personal injury, property damage, malpractice, employment discrimination, tax disputes, crimes and other cases. There are four judges. If I were selected for this position, I would be the only judge who resides in the northern part of our district and the first female circuit court judge for our district to the best of my knowledge.

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)*

I will continue my involvement with service-oriented organizations such as the Rotary Club International, Delta Sigma Theta Sorority, Inc., and the MTSU Honors College Board of Visitors. I will also continue to reach out to youth through mentoring and public speaking. I give speeches to youth groups, churches, and civic organizations on the importance of obeying the law and realizing one's purpose in life.

I will remain active in the legal community and bar associations in order to promote continuing legal education and the proper administration of justice. I will also continue to serve as a volunteer trial competition judge for youth events sponsored by MTSU, Napier Looby, and the Tennessee Bar Association.

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)*

I learned the value of public service at an early age. My parents set the example. My father, Casey C. Jones, was a Knoxville City Councilman for many years and served as Vice Mayor. My mother served as an employee and a volunteer for many non-profit organizations in the community for many years and still does. They have instilled in me a desire to serve.

In law school, I discovered that I have a talent for analysis, research, and critical thinking. I excelled in the study of law. In my career, I have found that the skills that I have honed, combined with my love of the law, have guided me to a satisfying career path that allows me to serve a greater good. I have had the privilege to apply those skills as an advocate, an advisor, and as a judge, and I would be honored to have the opportunity to serve my district.

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)*

Yes. The most important part of my job as a judge is to uphold and apply the law consistently and correctly. I do not recall any laws that I disagreed with as an attorney.

#### 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. Attorney Kent Coleman (Former House Judiciary Committee Chair) [REDACTED]

B. Murfreesboro Vice Mayor, Ron Washington [REDACTED]

C. MTSU Honors College Dean, Dr. John R. Vile [REDACTED]

D. Smyrna City Councilman Tim Morrell [REDACTED]

E. Attorney Cherie Meece [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] 16<sup>th</sup> Judicial District Circuit Court of Tennessee, and if appointed by the Governor, agree to serve that office. In the event any changes occur between the time this application is filed and the public hearing, I hereby agree to file an amended questionnaire with the Administrative Office of the Courts for distribution to the Commission members.

I understand that the information provided in this questionnaire shall be open to public inspection upon filing with the Administrative Office of the Courts and that the Commission may publicize the names of persons who apply for nomination and the names of those persons the Commission nominates to the Governor for the judicial vacancy in question.

Dated: July 30, 2012.

  
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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