

Tennessee Judicial Nominating Commission
Application for Nomination to Judicial Office

Rev. 26 November 2012

Name: Rhynette Northcross Hurd

Office Address: 1669 Kirby Parkway, Suite 210
(including county)

Memphis, Tennessee 38120 (Shelby)

Office Phone: 901-590-2308 Facsimile: 901-729-6368

Email Address: [REDACTED]

Home Address: [REDACTED]
(including county)

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

INTRODUCTION

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

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

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am co-founder of Ridder Hurd PLLC, a firm engaged exclusively in the practice of alternative dispute resolution. I work as a mediator, arbitrator, and Special Master handling various types of civil disputes. I am also an adjunct professor at the Cecil C. Humphreys School of Law where I teach Federal Courts, and I teach Legal Methods in the Tennessee Institute for Pre-Law Program.

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 1991. My BPR number is 014905.

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 only in 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).

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

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

Employment Since Completion of Legal Education

Judicial law clerk for Hon. Bailey Brown, Sixth Circuit Court of Appeals (1991-92)

Associate attorney in the business law section at Armstrong, Allen, Prewitt, Johnston & Holmes (1992-93)

Counsel and later Chief Counsel doing transactional work at International Paper Company (1993-2004)

Assistant General Counsel doing transactional work and managing litigation (employment and commercial matters) at Accredo Health, Incorporated (2004)

Contract attorney through Counsel on Call, assigned to work on securities litigation at Tate, Lazarini & Beall (November 2004 – first quarter 2005)

Corporate Counsel/Director of Errors and Omissions Management managing litigation at Sedgwick Claims Management Services, Inc. (2005 – 2009)

Shelby County Circuit Court Judge, Division VIII (March 2010 – September 2010)

Mediator/Arbitrator/Special Master – Ridder Hurd PLLC (October 2010 – Present)

Shelby County Circuit Judge, Division V (September 2012 – January 1, 2013)
(Substitute Judge during absence of Judge Kay S. Robilio)

Additional Employment in Legal Profession

Summer Instructor/Civil Procedure – Tennessee Institute for Pre-Law (1989 – 2010)

Summer Instructor/Legal Methods – Tennessee Institute for Pre-Law (2011 – Present)

Adjunct Professor/Federal Courts – Cecil C. Humphreys School of Law (2004 – Present)

Assistant to the Tennessee Board of Law Examiners (1993 – 2012)

Employment Prior to Law School

Prior to law school, I was a college English professor. My first position was at Fisk University. After completing the course requirements for my Ph.D., I taught at Middle Tennessee State University. I moved back to Memphis in 1980 and taught English at Memphis State (now University of Memphis). In 1988, I began law school.

In the late 1990's, a business partner and I owned and operated a bath and body shop at Memphis International Airport. The shop closed when the construction of a connector between two concourses required use of our space.

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.

Since completion of my legal education, I have never been unemployed in excess of six months.

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.

With the exception of assignments as Special Master, I work exclusively as a mediator and arbitrator. About fifty percent of the cases I mediate are medical malpractice cases. The remaining cases are personal injury, divorce, employment, and contract cases. I have served as Special Master assisting the court in resolving complex discovery disputes and contempt issues in divorce cases. My work as an arbitrator so far has been limited to uninsured motorist arbitration.

In addition to my practice, each Fall semester, I teach Federal Courts at Cecil C. Humphreys School of Law. The course is a three-hour elective course that I will teach for the tenth year this Fall. The course considers the role of the federal courts in our constitutional system. It examines such concepts as congressional powers related to the federal and legislative courts; the doctrines limiting the jurisdiction of the federal courts; the interplay between state and federal courts and state and federal law; the federal courts' lawmaking powers; immunity and abstention doctrines; and habeas corpus.

During the Summer, I teach Legal Methods in the Tennessee Institute for Pre-Law Program.

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.

I entered the legal profession after having taught composition and literature as a college English professor for seventeen years. As a result, my natural inclination was to work as a transactional lawyer, and that is what I did for most of my legal career. For the nine months I spent at a law

firm, I was assigned to the business section. I drafted agreements, prepared financial documents, and worked on various business deals.

At International Paper, where I was in-house counsel for 12 years, I drafted, reviewed, and negotiated agreements including procurement, sales, outsourcing, service and consulting agreements. I was also legal counsel to the IT department. In addition, as head of the legal department's knowledge management initiative, I designed and implemented tools for sharing information and resources across the department, including various intranet and extranet sites and databases to facilitate workflow. I was a member of the legal department's management team.

At Accredo Health, I drafted, reviewed, and negotiated information technology agreements, including software licenses, maintenance agreements, hardware purchase agreements; real estate leases; service and consulting agreements; distribution agreements; and partnership agreements. In addition, I provided legal support for the marketing, workers' compensation, and benefits departments and managed employment and commercial litigation.

I changed the focus of my practice when I came to Sedgwick CMS. There I began to do primarily litigation management. I managed litigation, errors and omissions (E&O) claims, and EEOC charges; provided legal counsel to the workers' compensation and liability operational units and to the human resources department; and developed and delivered training on E&O prevention and corporate compliance. I managed a broad range of matters, including employment, wage and hour, bad faith, contract, negligence, and RICO cases. Approximately 75% of my time was spent on litigated and E&O matters. The balance of my time was spent on employment matters.

As in-house counsel, I was involved in managing regulatory matters related to manufacturing and the insurance industry. I worked directly with departments of insurance and compliance all over the country. My work included advising and training business units, negotiating with regulatory agencies, drafting company policies, and performing all manner of tasks to assure my employers' compliance with the laws and regulations governing their business activity.

My sixteen years of in-house practice afforded me the opportunity to develop a wide range of skills in several substantive areas of the law. I am used to working long hours, typically putting in twelve-hour days. I have had to analyze issues quickly but thoughtfully and consider both the legal and practical implications of my decisions and advice, all the time conveying a sense of confidence without being overbearing or arrogant. I have excellent written and oral communication skills, and I am a careful listener. In addition, my work as an assistant to the Board of Law Examiners for twenty years required me to remain current in several substantive areas of the law.

The only criminal matter I have worked on involved a crime against my employer and its clients. I worked with authorities to prosecute the perpetrators.

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

Although not the attorney of record, I handled several complex cases as in-house counsel, including class actions and multi-district litigation. Many of the cases involved novel legal and procedural issues in various jurisdictions, state and federal. On several occasions, the court's opinion reflected the reasoning and legal analysis of my contributions to memoranda and briefs. Of note are cases involving procedural questions, contract and statutory construction, and application of common-law negligence and bad faith principles.

The decisions in several of the cases I managed were appealed. I directed all aspects of the appeals, preparing and/or revising briefs and other court filings and assisting with prep for oral argument. I worked closely with outside counsel from the initial stages through final resolution.

As a trial judge, I presided over a variety of cases including breach of contract, medical malpractice, personal injury, collection, divorce, and other civil cases. I conducted jury and bench trials.

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

I was the judge in Division VIII of Shelby County Circuit Court from March 2010 until September 2010. After losing my seat on the bench in the 2010 election, I co-founded a mediation firm. I believed I would make a good mediator because of my time on the bench and my negotiation and ombudsman experience as in-house counsel. As Director of E&O for Sedgwick CMS, I worked closely with the operational units not only to resolve disputes with clients and third parties but also to mediate/negotiate resolution of internal disputes. While at International Paper, I was appointed legal department ombudsman for a department that at the time was decentralized with attorneys all over the country and overseas. That role also required my serving as intermediary/problem solver.

In addition, being an effective in-house lawyer required examining issues from a variety of perspectives, anticipating problems, and helping to resolve extremely complex issues. It required being smart enough to listen and wise enough to reach the right conclusion based on all the evidence presented. It also meant being tough enough to deliver a message in a manner clients would listen even when the message was not what they wanted to hear.

Now that I am a Rule 31 mediator, I have honed my skills. I've conducted over 100 court-annexed mediations of cases pending in state and federal courts. I've been arbitrator in two uninsured motorist matters, and I've served as Special Master in two divorce cases.

From September 2012 through the end of the year, when I served as substitute judge for Division V of Shelby County Circuit Court, I presided over a two-week jury trial of a fraudulent inducement to breach of contract claim. My colleagues indicated they had never presided over a jury trial of that nature, so I drafted new jury instructions and verdict forms which I later shared with the other civil judges in the 30th Judicial District.

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.

For eight years, I served by appointment of the Governor on the Board of Trustees of the University of Tennessee. The Board is the governing body of the UT system, including all campuses and extension programs. My term on the Board expired in 2008. During my career, I have served on numerous other professional and volunteer boards, locally and nationally.

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

I served as Assistant to the Board of Law Examiners for twenty years, writing approximately 40 bar exam questions and reading/grading approximately 1000 bar exams per year. I also served on various committees of the National Conference of Bar Examiners, including drafting and policy committees.

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.

In 2009 I submitted an application to fill the vacancy in Division VIII, Shelby County Circuit Court. The Commission considered my application at its October 2009 meeting in Memphis. The Commission submitted my name to the Governor who appointed me to fill the vacancy in March 2010.

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.

Cecil C. Humphreys School of Law, University of Memphis, Memphis, TN, J.D. - 1991

I was Editor-in-Chief of the Memphis State University Law Review and graduated 16th in a class of 127. In my first year of law school, I received a scholarship for my first-place brief in a writing contest sponsored by the Association of Black Women Attorneys. I was awarded American Jurisprudence Awards in Torts I, Civil Procedure II, Administrative Law, and for my work as editor-in-chief of the law review. My law review Note has been cited by the Tennessee Supreme Court, other courts, and legal scholars both in Tennessee and other states.

George Peabody College of Vanderbilt University, Nashville, TN, Ph.D. - 1985, English Education. My dissertation on the relationship between writing apprehension and audience awareness has been quoted and/or cited by numerous scholars in the field.

Harvard Graduate School of Education, Cambridge, MA, M.A.T. - 1972, African and African-American Literature and Sociology

Mount Holyoke College, South Hadley, MA, B.A. - 1971, English Composition. I received a writing award for my performance freshman year.

PERSONAL INFORMATION

15. State your age and date of birth.

I am 63 years old. My date of birth is October 26, 1949.

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

I was born in Memphis, Tennessee, left after graduation from high school, and returned to Tennessee over 40 years ago.

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

I have lived continuously in Shelby County for 33 years.

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

I am registered to vote in Shelby 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.

No.

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.

On September 29, 2009, I filed suit against my former employer, Sedgwick Claims Management Services, Inc. This employment discrimination case was litigated in the United States District Court, Western District of Tennessee (2:2009cv02638). I alleged race discrimination and retaliation in violation of Section 1981 and the Tennessee Human Rights Act. The case settled in 2010.

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.

Memphis Child Advocacy Center, Executive Committee (2011 - Present)

LEAD Board, University of Memphis (2012 - Present)

The Links, Incorporated, Memphis Chapter - (President 1983-86)

Leadership Memphis, Board of Directors (2003-2005)

Alpha Kappa Alpha Sorority

Parkway Gardens United Presbyterian Church

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

- a. If so, list such organizations and describe the basis of the membership limitation.
- b. If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

I am a member of Alpha Kappa Alpha, a sorority with Title IX exemption.

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.

National Bar Association (Ben Jones Chapter) (2003-Present), former editor of newsletter

Tennessee Bar Association (2003-Present)

Association of Corporate Counsel (2003-2009), frequent speaker and panelist

Minority Corporate Counsel Association (2003-2004), frequent speaker and panelist

Association for Women Attorneys, Memphis (2009 - Present), former member of newsletter committee

National Conference of Bar Examiners (various committee appointments, including the committee on character and fitness)

Tennessee Supreme Court Committee on Surrender of Law License (1995)

Member of Screening Committee for Selection of Federal Public Defender, Western District of Tennessee (2012) (appointed by Sixth Circuit Court of Appeals)

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

I have been an AV Preeminent-rated lawyer for 16 years, since 1997.

In 2000-2001, I received the General Counsel's award at International Paper, an annual award given to the lawyer who best demonstrates the key performance measures of the department. I was the responsible for the department's winning numerous awards given by national organizations for advances in diversity, use of technology, and knowledge management.

In 1999, I received recognition from West Group for my service on the Corporate Counsel Advisory Board.

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

Civil Procedure--In re Real Estate Title and Settlement Services Antitrust Litigation: Application of the Minimum Contacts Standard to Absent Class-Action Plaintiffs, 20 MEM. ST. U.L. REV. 119 (1989).

The Propriety of Permitting Affirmative Defenses to Be Raised by Motions to Dismiss, 20 MEM. ST. U.L. REV. 411 (1990).

Maine Strives to Cut Health Care Costs Related to Defensive Medicine, MEMPHIS HEALTH CARE NEWS, June 4, 1993 (co-author)

Invention: Hurd, R. and Duvall, M. (International Paper Company) "System for distributing form contracts and monitoring usage thereof." U.S. patent application 20040148285. 29 July 2004

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.

Federal Courts B, Cecil C. Humphreys School of Law

Civil Procedure Seminar, Tennessee Institute for Pre-Law at the Cecil C. Humphreys School of Law (credit applied for completion of summer program only)

Legal Methods Seminar, Tennessee Institute for Pre-Law at the Cecil C. Humphreys School of Law (credit applied for completion of summer program only)

Memphis Bar Association CLE – Understanding the Local Rules of Court – Summer 2010

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

I served on the Board of Trustees for the University of Tennessee from 2000 – 2008 appointed first by Governor Don Sundquist and then by Governor Phil Bredesen.

In 2010, Governor Bredesen appointed me as judge for Division VIII, Shelby County Circuit Court. I served in that capacity until September 1, 2010, when I lost the election.

In September 2012, I served for four months in Division V, Shelby County Circuit Court, during the absence of Judge Kay Robilio.

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

I have never been a registered lobbyist.

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

I am attaching my law review case comment and note. They are both entirely the result of my personal effort.

ESSAYS/PERSONAL STATEMENTS

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

Several years ago, I determined the perfect job for me would be serving as a Tennessee court of appeals judge. The position would allow me to serve the State engaged in all the professional activities that I love most and do best. As a former English professor and law review editor-in-chief, I am very good at legal research, analysis and writing. I am a very careful listener and thoughtful student of the law. I have an excellent work ethic, always arriving early and staying late. During my clerkship with U.S. Court of Appeals Judge Bailey Brown, I wrote opinions on a variety of subjects that are published in the Federal Reporter. Now that I have been a trial judge, I believe I would serve with honor and distinction as an appellate judge for the State of Tennessee. I can think of no occupation to which I am better suited.

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)*

At Armstrong, Allen and at International Paper, I represented indigent clients via the MALS pro bono program. I served on the board of MALS and, after retiring from the Board, continued to provide pro bono services as part of programs implemented by the International Paper legal department, principally work in domestic relations and debtor/creditor matters. I founded a summer intern program for minority law students and was instrumental in developing International Paper's Law Day program, which typically focused on the role of the law in protecting civil rights. The ABA and the Commercial Law Section of the National Bar Association formally recognized the department for its efforts. I received a Silver Star Achievement Award for community outreach involving pro bono service to nonprofit organizations. I have done several pro bono mediations and am currently serving pro bono as Special Master in a divorce case for Division V, Shelby County Circuit Court.

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

I am seeking a position as one of four judges on the Tennessee Court of Appeals, Western Section. The court hears appeals from civil cases heard in the Western Grand Division of the State. My selection would help to diversify the Court – there are currently no judges with extensive in-house experience and no women of color. If fortunate enough to be selected, I will do my utmost to serve with distinction.

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 intend to continue my volunteer service through bar associations and not-for-profit civic organizations, particularly the Memphis Child Advocacy Center. My volunteer focus has been on abused children, school-age students and prospective law students. I have spoken at graduations and other school programs for several years and intend to continue as judges are particularly effective role models for this target audience.

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)*

The Commission should not take the fact I did not follow the traditional path as an indication I have not aspired to a position on the Bench. I am committed to public service and have a deep respect for the law. I believe in the ability of the judicial process to achieve fair resolution of disputes. An impartial judge is essential to that end. A good judge is impartial but not indifferent to litigants' unique circumstances, fair but mindful of pragmatic implications, and decisive but open-minded to alternative points of view. A good judge understands that, although she brings to each case her own world view and values shaped by her experiences, she must at all times listen carefully and be objective to insure respect for and adherence to the rule of law. I know the difference between being firm and being dogmatic; I am a careful listener; I try not to jump to conclusions before I know enough to form an opinion I can defend. I do not set on a course to do anything because it's the popular thing to do or to advance a personal agenda. Most importantly, I realize I don't know it all – it's important to consider alternative points of view before drawing a conclusion. I believe I have the knowledge, intelligence, and temperament to make an excellent appellate judge. It would be an honor to serve my State in this capacity.

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. I will uphold the law even if I disagree with the substance of the law. I exemplified my commitment to follow the law regardless of my personal views during my recent tenure as substitute judge in Division V, Shelby County Circuit Court. Ironically, my difference of

opinion involves a decision by the very Court I am now seeking to join. Case law at the time required dismissal of an appeal from General Sessions Court because the appellant's lawyer failed to inform her she needed to pay not only a filing fee but also an appeal bond. I had to rule against the appellant although my reading of the relevant statute differed from that of the Court of Appeals, and my reading would have allowed me to hear the appellant's colorable claim and rule on the merits. The case was especially troublesome because, by the time the appellant appeared before me, she was proceeding pro se and had difficulty understanding that her otherwise valid claim could not be heard because of a mistake by her lawyer, and paying that lawyer meant she did not have funds to retain counsel to present her arguments against application of the Court of Appeals' decision to her particular case.

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. Amy Weirich – District Attorney General, Shelby County; 901-222-1300; amy.weirich@scdag.com
B. Nancy Williams – Executive Director, Memphis Child Advocacy Center – 901-888-4436; NWilliams@MemphisCAC.org
C. Dr. Rosie P. Bingham – Vice President of Student Affairs, University of Memphis – 901-678-2114; rbingham@memphis.edu
D. Ricky E. Wilkins – Law Offices of Ricky E. Wilkins – 901-322-4450; rwilkins@wilkinslawoffice.com
E. Jonathan T. Martin – Partner, The Hardison Law Firm – 901-525-8776; jmartin@hard-law.com

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 of Appeals for the Western Section of the State 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 6, 2013.

Rhynette N. Hurd

Signature

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



TENNESSEE JUDICIAL NOMINATING COMMISSION

511 UNION STREET, SUITE 600
NASHVILLE CITY CENTER
NASHVILLE, TN 37219

TENNESSEE BOARD OF PROFESSIONAL RESPONSIBILITY TENNESSEE BOARD OF JUDICIAL CONDUCT AND OTHER LICENSING BOARDS

WAIVER OF CONFIDENTIALITY

I hereby waive the privilege of confidentiality with respect to any information which concerns me, including public discipline, private discipline, deferred discipline agreements, diversions, dismissed complaints and any complaints erased by law, and is known to, recorded with, on file with the Board of Professional Responsibility of the Supreme Court of Tennessee, the Tennessee Board of Judicial Conduct (previously known as the Court of the Judiciary) and any other licensing board, whether within or outside the state of Tennessee, from which I have been issued a license that is currently active, inactive or other status. I hereby authorize a representative of the Tennessee Judicial Nominating Commission to request and receive any such information and distribute it to the membership of the Judicial Nominating Commission and to the office of the Governor.

Rhynette N. Hurd
Type or Printed Name

Rhynette N. Hurd

Signature

June 6, 2013
Date

014905 - BPR #

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

Not Applicable
