

Tennessee Trial Court Vacancy Commission

Application for Nomination to Judicial Office

04/15/16

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(including county)

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INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in word processing 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 word processing 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. Submit by the noon deadline date an original (unbound) completed application (with ink signature) to the Administrative Office of the Courts.** In addition, submit a digital copy with electronic or scanned signature via email to debra.hayes@tncourts.gov, or via another digital storage device such as flash drive or CD.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

19th Judicial District; Assistant District Attorney

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

2006
BPR# 025758

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Tennessee
BPR# 025758
2006
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).

2013 – Present
Assistant District Attorney
19th Judicial District, Montgomery County, TN
Currently, I work under a Federal *Driving While Impaired* grant that focuses on prosecuting repeat offenders and those involved in serious bodily injury or fatality crashes.

2012 – 2013
Assistant District Attorney
19th Judicial District, Montgomery County, TN
I was employed under a Federal grant called *Project Safe Neighborhood*, which increased Federal prosecution of illegal gun use and illegal gun possession by prohibited persons. Increased Federal prosecution was intended to incarcerate chronic violent offenders, as well as to communicate a credible deterrent threat to potential gun offenders.

November 2006 – September 2012
Member of the Montgomery County Bar
Solo Practitioner

As a solo practitioner, I practiced Family Law, Domestic Matters, Juvenile Law, Child Support and Child Custody. I worked in the General Sessions Court, Civil and Criminal Law, as well as Circuit Court, Civil and Criminal Law.

August 2005 – May 2007 (2005-2007 school year)
Clarksville Montgomery County School System
Substitute Teacher
Grades: Kindergarten – 12th grades

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.

I currently practice in Criminal Law.

My major area of practice is 100% Prosecution of *Driving While Impaired* drivers. This includes vehicular assault, aggravated reckless assault, drug possession, weapon charges, domestic assault, theft, as well as a plethora of other criminal charges based on evidence found during the initial arrest process.

Approximately 5% of my current case load is prosecution of vehicular homicides due to driving while impaired.

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.

My entire career as a licensed attorney has been spent in the trial courts of General Sessions Criminal and Circuit Court Criminal.

From 2006 to 2012, I also practiced in Juvenile Court, Chancery Court, in General Sessions and Circuit Court Civil, as well as Child Support Court.

I have conducted both, trials and hearings, in all of the trials courts of Montgomery County at various times in my practice of law.

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

For the past 6 years, I have practiced in the trial courts of Circuit Court Criminal, in all three Divisions, as well as Pro Tem in other counties. I have also practiced in every division and court in Montgomery county at some point over the past 12 years.

Additionally, through the help of the local judges, I was able to implement the use of Division I Court, to hear DUI misdemeanor cases. It should be noted this court is different from a DUI court. This court hears all motions, settlements, and trials for DUI misdemeanor cases. Due to the numerous felony cases on the docket, DUI misdemeanor cases were being routinely overlooked or reset, and it would take up to 18 – 24 months for a case to go to trial. Through the use of this misdemeanor court, these cases are now being completed within 120 – 180 days.

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

Prior to obtaining my license to practice law, I was a Deputy Sheriff with the New Orleans Sheriff's Department in Louisiana. I also served as a Police Officer with the Crescent City Connection Police Department in New Orleans, Louisiana.

I have completed over 400 hours of Continuing Legal Education since obtaining my License to Practice Law. While the State of Tennessee would have required only 180 hours of continuing education during my 12 years in practice, I have exceeded that by 220 hours, approximately doubling the required minimum. I choose to consistently do this because I believe in keeping up to date with the law and the continued education courses allows me to understand how the changes affect the practice of law.

Additionally, for the past 6 years, I have taught and spoken at many events involving university students, law enforcement officers with local and county police/sheriff's departments (TN and KY), the Tennessee Highway Patrol, the Kentucky State Police, Ft. Campbell Military Police, Military Personnel and area District Attorneys on topics of DUI Prevention, Report Writing, Trial Preparations, and updates on Drugged and Drunk Drivers.

Examples of different courses I have taught are given below:

January 2018

Advanced Roadside Impairment Driving Enforcement

Pre & post Arrest Procedures

Springfield, TN

Audience: 20+ law enforcement officers from the State of TN

July 2017

Protecting Lives and Saving Futures

Report Writing

Purpose: This course concentrated on why officers' reports are the "heart" of all cases.

June 2017

Advanced Roadside Impairment Driving Enforcement

Pre- and Post-Arrest Procedures

Fort Campbell, KY

Audience: Local law enforcement, Kentucky State Police, and Military Police

August 2015
Cops-in-Court Session
Murfreesboro Police Department
Murfreesboro, TN
Audience: Newly hired police officers with MPD, veteran MPD police officers, and the Tennessee Highway Patrol

November 2015 & 2016
Safety Stand Down
Fort Campbell, KY
Purpose: Consequences of DUIs & the 10 Best Ways to Present DUIs
Audience: 120+ military personnel

December 2014
University Break-Out Session
Austin Peay State University
Clarksville, TN
Topic: Direct and Cross Examination in DUI cases
Audience: Local and surrounding law enforcement agencies

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

I have not submitted an application for any state or federal judicial position prior to this one.

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.

2002 - 2006
Degree Awarded: Doctor of Jurisprudence (J.D.)
Nashville School of Law

- 2005 – 2006 Recipient of the Joe P. Binkley Scholarship (4th year of law school)
- 2004 – 2005 Recipient of the J.G. Lackey, Jr. Scholarship (3rd year of law school)

2000 – 2002
Degree Awarded: Bachelor of Science (B.S.)
Austin Peay State University
Major: Public Management
Concentration: Sociology
Honors: Cum Laude

1998 – 2000

Degree Awarded: Associate of Arts (A.A.)

Hopkinsville Community College

Honors: With Distinction

PERSONAL INFORMATION

12. State your date of birth.

1970

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

21 years

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

21 years

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

Montgomery County, TN

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.

Branch: United States Navy

Dates of Active Duty: November 22, 1989 – June 6, 1994

War Time: Served overseas during the Gulf War - Operation Desert Shield & Operation Desert Storm

Rank at Separation: Petty Officer Third Class

Discharge Type: Honorable

Decorations, Honors, Achievements:

- National Defense Medal
- Kuwait Liberation Medal
- Sea Service Deployment Ribbon
- Navy Unit Commendation Medal
- Southwest Asia Service Medal
- Good Conduct Award

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.

Early in my legal career, I received a complaint which was filed on March 10, 2010, File# 32935-6-KB. After review, it was determined the infraction was minor and the case was closed on February 28, 2011. I have had 3 complaints and all were dismissed by investigation.

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.

No.

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.

Faith Missions Ministries
Clarksville, TN
Position: Regular Member/Church

Zeta Phi Beta Sorority, Incorporated
Rhu Mu Zeta, Clarksville, TN Chapter
Purpose: By being a member of this organization, I have been able to give back to the community through scholarships, provide school supplies to students in the city and county, as well as donate to Kenwood Middle School through the F.U.E.L program which provides students with meals on the weekends, when they would otherwise not have food. I have also been able to donate supplies to the women's shelters locally through the Zeta organization. We, as an organization, raise money and walk for the March of Dimes on a yearly basis, as well as a variety of other programs focused on helping those in the community.

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.

2006 - Present
Tennessee Bar

2006 - 2012
Montgomery County Bar

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.

See below:

2017

Middle Tennessee Law Enforcement Network Prosecutor of the Year Award
Tennessee Department of National Highway and Safety Office
Murfreesboro, TN

2016

Certificate Recognition
Safety Stand Down
Fort Campbell, KY

2015

Certificate Recognition
Safety Stand Down
Fort Campbell, KY

2015

Safety Week Recognition Award
Fort Campbell, KY

2014

Certificate and Patch Recognition
Clarksville Police Department
Clarksville, TN

2009

Unsung Hero Award
World of Life

Clarksville, TN

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.

None.

ESSAYS/PERSONAL STATEMENTS

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

I once read an article called *The Qualities of a Good Judge*, which stated:

“Legal Courage is the willingness to do what the law requires the judge to do, even though the course the judge must follow is not the popular one. Integrity is not being influenced by the identity, race, gender, political status, wealth or relationship of the party or lawyer before the judge.”

The majority of my adult years have been committed to serving my community and my country. I believe I possess many of the qualities of a "good judge" to include patience, tact, firmness, compassion, character, intelligence, as well as common sense. I believe my desire to continue to serve my community is needed by the public I seek to serve.

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)*

The position I seek is Circuit Court, Part V Judge, in Montgomery and Robertson Counties. According to the 2017 census, Montgomery County's population is estimated to be over 200,000 and Robertson County is estimated at over 70,000. At this time, we have four circuit court judges who hear criminal and/or domestic cases. I believe the impact I can have as a judge for domestic matters will positively and directly affect the timeliness of when cases are heard with the efficiency and fairness in processing the current overload of cases in the circuit courts.

Additionally, I believe the judicial system should reflect the community it serves in the best way possible. I believe the skills and knowledge I possess, along with my legal experience, will help make that representation possible and allow our legal system to best reflect the demographics and populations in communities where I serve.

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 when I disagree with the substance of the law, statute, or rule.

A Trial Court Judge does not make the laws, but rather interprets and follows the laws set forth from legislation and the appellate courts while maintaining impartiality.

As a prosecutor, I had a defendant who was pulled over in a parking lot, less than 100 yards from where he started driving. The officer had observed behavior prior to and subsequent to the stop that made him suspicious. The driver admitted he had way too much to drink and should not be driving. He cried and pleaded to not be arrested because he needed his driver's license. Without his license, he was fearful it would result in losing his job with the military, and he was also concerned because his wife was 8 months pregnant. However, the TN statute does not give an option about the loss of driving privileges, whether you drive a yard or a hundred miles. As a result of the statute, I had to uphold the law and his driving privileges were revoked.

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. Judge Charles W. Smith, Clarksville City Court Judge, ph: _____

B. Mitzi Loveless, Esq., BDS Director, Business Development BDO USA, LLP, ph: _____

C. Dr. Erin Lynch, Research Director of Center for Excellence of Learning Sciences, TSU, _____

D. Sheila Bryant, Sr. CAAP, Director of Equal Opportunity and Affirmative Action, APSU, ph: _____

E. Bishop J.D. Wiley, Founding Senior Pastor, Life Center Cathedral, ph _____

AFFIRMATION CONCERNING APPLICATION

Read, and if you agree to the provisions, sign the following:

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the [Court] Circuit Court Part V, Montgomery County 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 22, 2018.


Signature

When completed, return this questionnaire to Debbie Hayes, 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.

Karen L. Willis


Signature

July 22, 2018
Date

025758
BPR #

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

None
