

**Tennessee Trial Court Vacancy Commission**  
***Application for Nomination to Judicial Office***

04/15/16

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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](http://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](mailto: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.

Assistant Public Defender in the 13<sup>th</sup> Judicial District.

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

Licensed 1986

TN.S.Ct. No. 012061

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 only licensed 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).

Not Applicable

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).

1986 to 1987 Law Clerk for Judge Jerry Scott, TN Court of Criminal Appeals

1987 to 1988 Law Clerk for Judge Martha Craig Daughtrey, TN Court of Criminal Appeals

1988 to 1992 Assistant Public Defender, Nashville Public Defender's Office

1992 to 1993 Assistant Attorney General, Enforcement Division, TN Attorney General's Office

1993 to 2000 Assistant Public Defender, Nashville Public Defender's Office

2000 to 2008 Deputy Public Defender, Nashville Public Defender's Office

2008 to 2018 Assistant Public Defender, Nashville Public Defender's Office

2018 to Date Assistant Public Defender, 13<sup>th</sup> Judicial District Public Defender's Office

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

My practice is 100% criminal law. On several occasions, I have represented a client in a civil forfeiture matter or an order of protection matter when it directly impacted the criminal case.

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.

I have tried approximately fifty jury trials, many of which were murder trials. I have tried hundreds of bench trials including many in General Sessions Court and a handful in Criminal Court. While in law school I participated in the Criminal Law Clinic and prepared one brief and argued the case before the Court of Criminal Appeals.

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

All cases listed are Davidson County Criminal Court cases.

I was second chair in the death penalty jury trial in State v. Robert Leach, 99-D-2508. Mr. Leach received two death sentences for the deaths of two victims.

I was first chair in the insanity defense bench trial in State v. Hank Wise, 2009-C-2653. Mr. Wise was charged with first degree murder and was convicted of second degree murder.

I was second chair in the jury trial of State v. Jerome Barrett. This was a thirty-four year old case in involving the death of Girl Scout Marcia Trimble. Mr. Barrett was charged with first degree murder and was convicted of second degree murder.

I was first chair in the jury trial of State v. Jose Sosa Murillo, 2006-C- 2504. Mr. Murillo was charged with first degree murder for the deaths of two people. He was found not guilty by the jury.

I was first chair in the jury trial of Ricardo Bellevue, 2015-C-1583. Mr. Bellevue was charged with second degree murder. He was found not guilty by the jury.

I was third chair in the death penalty case of State v. Curtis Inman, 95-A-358. Mr. Inman pleaded guilty and received a life sentence.

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

I and Maynette McMichael, investigator with the Nashville Public Defender's Office, have attended monthly legal clinics at the Campus for Human Development and Operation Stand Down to assist homeless people and veterans with criminal law issues.

I have volunteered at numerous driver's license legal clinics to assist low income people with getting their licenses back.

I have mentored over fifty law students through the Nashville School of Law externship program. All of these students had their supervised practice license and I supervised them while they performed all the duties, in court and out of court, necessary to defend a client in a criminal case. Each student was required to perform at least fifty hours of work in order to receive credit.

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

I applied for one of the two newly created criminal court benches in Davidson County in 2003.

### 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.

1983 to 1986 Vanderbilt Law School. J.D. awarded May 1986.

1979 to 1983 Virginia Wesleyan College, B.A. Philosophy, Magna Cum Laude.

**PERSONAL INFORMATION**

12. State your date of birth.

1961

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

Thirty-five years.

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

Thirty-five years.

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

Davidson 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.

Not Applicable

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.

No formal complaints have been filed against me. I have received approximately ten Consumer Assistance Program inquiries to which I responded appropriately and nothing more came of the inquiries.

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 sued in Davidson County General Sessions Court by a contractor who had been hired to do work at my house. I counter-sued and won a default judgment against him. That case number is 08-GC-12115. He "appealed" and filed suit in Davidson County Circuit Court. He dismissed the case before I was required to file a response. That case number is 08-C-2315.

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.

2003 to 2018 Adjunct Faculty at the Nashville School of Law where I taught first year criminal law courses and an advanced criminal defense class.

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.

Not Applicable

#### 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.

Nashville Bar Association, Member of the Criminal Justice Committee since at least 2000.

Tennessee Association of Criminal Defense Attorneys, Past President 2010-2011

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.

Nashville Bar Foundation Fellow, 2001

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.

Davidson County Democratic Election Commission, approximately 2000. Elected position. No candidate filed to run for the position. I wrote my name in and was elected.

**ESSAYS/PERSONAL STATEMENTS**

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

As a trial judge, I would ensure that the U.S. and Tennessee Constitutions are upheld and would follow the rule of law. I understand that trial judges don't make law, they uphold existing law. I believe that trial judges have the greatest opportunity to restore and maintain faith in the criminal justice process for victims, defendants, and witnesses because they are the front line of the criminal justice process. It is imperative that a trial judge treat each person before the court respectfully and demonstrate that she is thoughtfully applying the law to the facts of the case and not acting capriciously.

Specifically, I am applying for Judge Norman's vacancy because I was the Public Defender team leader assigned to his court from 2009 to 2016 and was very involved in the drug court aspect of the court. From 2014 to 2016 I attended weekly drug court staff meetings and drug court. I watched many clients gain control over their addictions. I am familiar with the purpose and model of drug court and believe that it works for many addicts. I am also familiar with the Morgan County Recovery Program and watched Judge Norman build this program from the ground up.

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 the Division IV criminal trial court bench in the 20<sup>th</sup> Judicial District, Davidson County, Tennessee. There are six criminal trial courts in Davidson County. I believe my extensive criminal law experience, including many jury trials, would allow me to maintain the high standards set by the other criminal trial judges in Davidson County.

30. Will you uphold the law even if you disagree with the substance of the law (e.g., statute or rule) at issue? Give an example from your experience as a licensed attorney that supports your response to this question. *(250 words or less)*

I would uphold the law regardless of my personal beliefs. As previously stated, I understand that trial courts do not create law, they apply existing law to the facts of the case. As a criminal defense attorney, my role was to represent my clients zealously regardless of their guilt. This occasionally required me to challenge existing law. I always behaved ethically and followed the rules of criminal procedure and evidence. I appreciate that the role of trial judge is different from that of prosecutor or defense attorney and would apply the law evenly and fairly to all litigants before the court.



**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. Craig Fickling, District Public Defender, 13 <sup>th</sup> Judicial District.
B. Dawn Deaner, Davidson County Public Defender.
C. Cynthia Tyler, Asst. Commissioner, Division of Administrative and Regulatory Services, Tennessee Department of Mental Health and Substance Abuse Services.
D. Kimberly Brown, PhD, Associate Professor of Clinical Psychiatry at Vanderbilt Medical School and Director of the Forensic Evaluation Team.
E. Tommy Bradley, Deputy Court Administrator, Davidson County Juvenile Court.

**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 Division IV, Davidson County Criminal 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 20, 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.

Laura Clift Dykes

  
Signature

July 20, 2018  
Date

012061  
BPR #

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

Not Applicable