

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

9/8/20

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INTRODUCTION

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

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800.448.7970 or 615.741.2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) **Review the separate instruction sheet prior to completing this document. 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 ceesha.lofton@tncourts.gov, or via another digital storage device such as a flash drive. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.
PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Assistant District Attorney in the 25th Judicial District

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

1992 #015242

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 #015242 1992 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).

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).

Assistant Public Defender July 1992 until September 2006

Assistant District Attorney September 2006 until present

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 am presently serving as an Assistant District Attorney assigned primarily to Lauderdale County. Criminal law is one hundred percent of my present legal practice. In my years as a prosecutor, I have prepared and drafted over 2400 indictments and over 500 criminal informations. I have represented the State of Tennessee in over 40 jury trials.

I am a violent crimes prosecutor having handled numerous homicide cases. This constitutes approximately 90 percent of my practice. I do not take the decision of filing a notice of the state's intention to seek the death penalty lightly however there are cases where it is warranted. I have prosecuted three such cases in my career. I have settled two on plea agreements. The most recent was the plea of Curtis Ray Watson who pled to the rape and murder of Correctional Administrator Debra Johnson. He received an effective sentence of life without parole plus 25 years on June 14, 2021. The other case that I settled involved the killing of the State's witness a week before he was to testify in court in another homicide case. This witness had agreed to testify against fellow gang members. In that case the two defendants who executed the victim are serving prison sentences. The woman charged in this case was found to have a low IQ and I made the decision not to prosecute her once her codefendants pled. The pending death penalty case I am prosecuting is a three defendant case where the death notice has been filed on one of them. This defendant has a lengthy criminal history and has already served a prison sentence for the facilitation of the murder of former Haywood County Sheriff Melvin Bond's son. These individuals are charged with the murder of an intellectually delayed pregnant woman who was shot multiple times, stripped naked and thrown in a ditch.

In addition to homicide cases, I have prosecuted other violent crime cases, including but not limited to, child rape, aggravated sexual battery, aggravated child abuse and neglect cases. I review the severe child abuse cases as part of the CPIT team in Lauderdale County. I have prosecuted over 52 cases of Attempted Aggravated Child Neglect for children who have been exposed to drugs by their parents. These cases have included children who have tested positive for cocaine, methamphetamine and most recently fentanyl.

I was designated as the elder abuse liaison for the 25th District Attorney's Office and assisted in getting the VAPIT teams established in each county. I have prosecuted well over 20 cases for crimes against elderly and vulnerable adults. These cases are very labor intensive.

The other ten percent of my legal practice is assisting law enforcement with legal questions on cases. I encourage an open door policy with law enforcement officers and encourage open communication. I am on call 24/7 and take their calls at all hours. This has led to a positive working relationship with law enforcement agencies and helps ensure that cases are handled appropriately from start to finish.

As a prosecutor I am always looking for ways to be proactive instead of reactive. The goal is to try to come up with the right solution for each criminal defendant who comes through the system to hopefully keep them from coming back on violations of their release conditions or for commission of new crimes.

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.

On July 1, 1992, I began my legal career as an Assistant Public Defender under Gary Antrican, in the 25th Judicial District. My home office was in Somerville, in Fayette County but I was assigned to cover all courts in McNairy and Hardeman Counties. This was Juvenile Court, General Sessions Court and Circuit Court in both counties. I covered these two counties until early 1993 when I was reassigned to Lauderdale County with my home office in Covington, in Tipton County. At this time, I lived in Millington and drove out highway 64 every day to cover these courts. I routinely worked long hours to ensure that my work was completed and that the clients I represented got the best representation.

I attended court weekly and handled all arraignments, bond hearings, motion hearings, and probation revocation hearings. I researched, drafted and litigated a vast array of motions asserting clients' Constitutional rights and preserving evidentiary issues. I assisted clients with case settlements, negotiating favorable dispositions with the District Attorney that included addressing alcohol and drug issues as well as mental health issues.

During my time in McNairy County, I was appointed to represent numerous defendants in a variety of criminal cases. This included Terry Gray, a female defendant that was charged with First Degree Murder along with two male codefendants. A death notice was filed by the State. I negotiated a plea on her behalf to a mitigated sentence in exchange for her agreement to testify against her codefendants. I was also assigned another homicide case that involved a husband accused of killing his wife. I was able to reach a plea agreement for Voluntary Manslaughter. I spent numerous hours investigating these cases which included nights and weekends. I made a trip to Mississippi to track down witnesses. I met with my clients on a regular basis which in the old McNairy County jail meant meeting in my client's jail cells. There was no other option for a private meeting space. Not only did I have these high-end felony cases, but I also was responsible for all the other assigned cases in the McNairy County Courts.

In addition to the cases that I was handling in McNairy County, I had a similar case load in Hardeman County. I enjoyed the time I spent in Hardeman County as I had lived in Middleton and attended high school there. So the county was familiar to me. I was also assigned a homicide case in this county at the same time that the McNairy County cases were pending. I had my first jury trial in Hardeman County Circuit Court. It was a felony theft case for the stealing of a four-wheeler. The jury found him not guilty.

This early experience instilled in me a strong work ethic as an attorney. I have never been a person to punch a clock. I do whatever it takes to get the job done including personal sacrifice. I am the first one at work and the last one to leave. I routinely work nights and weekends. I have never shied away from difficult cases or hard work.

My time as an Assistant Public Defender taught me a lot about people in the criminal justice system. They all had interesting back stories and had many talents. Unfortunately, poor life choices that sometimes lasted for years caused them to be in jail. My experience as an Assistant

Public Defender kept me grounded as a young attorney and gave me lessons in compassion, empathy, humility, and patience that are still with me today.

When I was reassigned to Lauderdale County in 1993, I again covered all courts in this county. The dockets were larger, and the number of appointed cases increased. Fort Pillow Prison provided a steady stream of clients. Lauderdale County had a very active drug enforcement unit that led to a large number of felony drug indictments. For the thirteen and a half years that I served as the Assistant Public Defender in Lauderdale County, I had well over fifty (50) criminal jury trials. These included a death penalty trial on Michael Bawana Carter in which the jury did not impose the death penalty. I also defended clients in first-degree murder, second-degree murder, attempted murder, child rape, aggravated sexual battery, aggravated robbery, aggravated kidnapping, aggravated burglary, burglary, theft, aggravated assault, felony escape, all ranges of drug trials.

I was responsible for preparing all the Appellate briefs to the Court of Criminal Appeals and Application for Permission to Appeal to the Tennessee Supreme Court for defendants who were convicted at trial. I appeared and presented oral argument on several of these cases. I represented a defendant on a habeas corpus petition that was granted by the trial court. I also represented defendants on post-conviction petition hearings.

I prepared and argued suspended sentence motions on behalf of defendants who were still housed in the county jail after being sentenced. I assisted inmates with sentence management issues concerning their sentence computations. This experience has given me a keen understanding of post sentencing issues and the importance of accurate judgment sheets and jail credit awarded at sentencing.

I became a Lauderdale County resident in 1998 and continued to work as an Assistant Public Defender until I was hired as an Assistant District Attorney in September 2006 under General Mike Dunavant. I am currently the Assistant District Attorney for Lauderdale County under General Mark Davidson. In my almost fifteen years of service, I have handled the majority of the violent crime prosecutions which include one pending death penalty case. I have previously prosecuted two other death penalty cases that were able to be resolved by the pleas of the defendants prior to trial. As an Assistant District Attorney I have represented the State in jury trials on felony murder in the perpetration of aggravated child abuse, first-degree murder, second-degree murder, vehicular homicide, attempted murder, child rape, aggravated sexual battery, aggravated child abuse, attempted aggravated child neglect for children exposed to drugs by their parents, aggravated robbery, aggravated kidnapping, aggravated burglary, burglary, theft, aggravated assault, felony escape, all ranges of drug trials.

I sit on the Lauderdale County CPIT team and have one of the highest prosecution rates for child abuse and neglect cases. I spear headed the creation of the VAPIT teams in the 25th Judicial District and have one of the highest prosecution rates for elder abuse, neglect and financial exploitation cases. I am an active participant in the Crime Drivers Initiative which is a cooperative meeting of the District Attorney's Office, US Attorney's Office, federal and state law enforcement agencies to discuss and address crime trends in our district on a state and federal level. I also am a community resource for Lauderdale County and am frequently called

upon to attend meetings and work on solutions to problems within the county.

As a prosecutor, I take a practical approach to addressing cases. I look for creative solutions that go beyond incarceration. I routinely refer defendants to alcohol and drug rehab and recovery court. I also work with mental health professionals to try to come up with more viable options for the mentally ill defendants that come into the criminal justice system. During the Covid-19 pandemic, I assisted the Judges and clerks in docket management, safety protocols, and prevention of a back log of cases. I felt strongly that victims and defendants deserved to have their cases heard as soon as possible as people's lives are greatly affected when they are waiting on the criminal justice system to resolve a case. In Lauderdale County we were successful in keeping cases moving and have come out of 2020 with a manageable docket for both General Session and Circuit Courts.

My extensive jury trial experience on both sides of a criminal case has given me a solid foundation of legal knowledge to be able to handle any legal issue. I recognize the importance of protecting the record and avoiding reversible error. Having worked as both a prosecutor and a public defender, I have a unique perspective that will serve this district well if I am appointed to fill this judicial vacancy.

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

I have personally been lead counsel in numerous jury trials. I have not kept a written record of all my trials. I would like to discuss a few that I felt were of special note.

Defense Cases:

State v. Bawana M. Carter, C.C.A. No. 02C01-9808-CC-00253(Tenn. Crim. App., August 9, 1999). This was a murder case with codefendants that were severed. They were initially all tried together, but the first trial ended in a mistrial due to a hung jury. While this case was awaiting retrial, my client Bawana Michael Carter reached out to the Sheriff and asked to speak to him. He not only confessed to his involvement in this case but also confessed to another murder of a woman and child that would be the death penalty case that I would represent him on at a trial. I litigated and was successful in getting one of his statements suppressed. We had issues that were appealed with regard to the second statement and a tape recording and transcript that were introduced at trial. I spent a lot of time with this client and both of his cases had very complex legal issues.

State v. Jerry Steven Cothran and Lee Theodore Smith, No. W2002-00485-CCA-R3-CD (Tenn. Crim. App., February 14 2003) This was a case involving a knock and talk conducted by law enforcement. I filed and was successful in getting the evidence suppressed at the trial court,

however the State appealed and it was overturned on appeal. This is still one of the leading cases on knock and talk search issues in Tennessee.

State v. Larry D. Anderson, No. W2001-02371-CCA-R3-CD (Tenn. Crim. App., April 11, 2003) This case involved complex mental competency issues both for trial and the taking of the statement of the defendant by law enforcement. I secured a mental health expert that testified that the defendant was incompetent. The State's expert believed him to be competent. The facts of this case were horrendous and the jury convicted. I was unsuccessful in getting any relief on appeal.

Prosecution Cases:

State v. Jason Scott Lomax and Ophelia Lomax, No. W2008-01615-CCA-R3-CD (Tenn. Crim. App., October 21, 2009) This was an Aggravated Child Abuse trial where the child victim had a huge blister that covered the entire instep on her foot. The initial story was that the child spilled ramen noodles on her foot. After several meetings with the child, she finally disclosed to me that her step mother had taken a hot flat iron and clamped it on her foot causing the burn. Both parents were convicted.

State v. William Franklin Chumley, No. W2011-01832-CCA-R3-CD (Tenn. Crim. App., August 1, 2012) This was a child rape trial in Tipton County. The conviction was upheld on appeal and made good case law on the admissibility of hearsay statements of the child to medical professionals identifying the perpetrator when given during the course of medical treatment.

State v. Shawn O'Neal Talliaferro, No. W2013-01620-CCA-R3-CD (Tenn. Crim. App., November 24, 2014) This was a murder trial that began in Lauderdale County but the Court granted the defense motion regarding venue. This murder happened in a moving vehicle where the victim was shot at the county line in Lauderdale County but tried to escape the vehicle and his body came to rest in Haywood County. I was prepared to go to trial in the case, as this motion was filed on the eve of trial. I requested special permission to prosecute the case in Haywood County which was granted and I conducted a trial along with Assistant District Attorney Gerald Campbell from Haywood County and the defendant was convicted.

State v. Gregory Nelson and Tina Nelson, No. W2014-00494-CCA-R3-CD (Tenn. Crim. App., May 5, 2015) This was the felony murder of a two and a half month old baby at the hands of her parents. This child had brain hemorrhages, retinal hemorrhage in one eye, optic hemorrhages behind both eyes, multiple rib fractures. Both parents were convicted and are serving life sentences. The jurors were so invested in this case that they filed into the back of the courtroom and watched the defendants being taken into custody after the verdict was read.

State v. Kevin Ladell Grandberry, W2015-01344-CCA-R3-CD (Tenn. Crim. App., September 28, 2016); State v. Kevin Ladell Grandberry, W2014-01548-CCA-R3-CD (Tenn. Crim. App., September 15, 2015); State v. Kevin Ladell Grandberry, W2014-01549-CCA-R3-CD (Tenn. Crim. App., August 26, 2015) This defendant murdered a gas station attendant in Lauderdale County then stole a truck and burglarized two gas stations in Fayette County all close in time to one another. I requested to be allowed to prosecute all three of his cases which I did. He was

convicted on all three cases and is in prison serving his time.

State v. Larry Michael Berkley, No. W2015-00831-CCA-R3-CD (Tenn. Crim. App., May 17, 2016). This was a three victim sexual assault case with three minor children that were molested by their pastor. He was charged with molesting children at the next church he went to in Arkansas. One of the victims in the Lauderdale case saw the breaking news on the Arkansas case and broke down and told what had happened to him which led to the discovery of two other victims that were willing to come forward. He was sentenced to 35 years in prison after conviction at trial. The election of offenses were properly done and his convictions have been upheld on appeal.

State v. G'wayne Kennedy Williams a/k/a Kenney Williams, W2018-00924-CCA-R3-CD (Tenn. Crim. App., January 14, 2020) This was a 145 count indictment for multiple incidents of child rape over a period of several years. The election of offenses was done properly and the convictions were upheld on appeal. This defendant was sentenced to 64 years. This child had left the state and was living in Chicago. I made the necessary arrangements to get him back to Tennessee to testify at a two day trial.

State v. Darius Deshun Mitchell, No. W2018-01364-CCA-R3-CD (Tenn. Crim. App., November 19, 2019); State v. Darius Markee Alston aka Jack, No. W2018-00550-CCA-R3-CD (Tenn. Crim. App., April 24, 2020) This was a double homicide case that went unsolved for several years. TBI Agents were able to locate witnesses that were in federal custody with these defendants and they were willing to come to court to testify as to what these two defendants confessed to them about the crime they had committed in Lauderdale County while they were locked up in federal prison. There were no eyewitnesses to the crime as it occurred in a rural cemetery. The jury found both defendants guilty of first degree murder and their convictions have been upheld on appeal.

State v. Greg Patterson, No. W2018-01799-CCA-R3-CD (Tenn. Crim. App., March 5, 2020). This was a jury trial on an Attempted Aggravated Child Neglect for a drug exposed child. The jury convicted the defendant of exposing his child to methamphetamine. He appealed the hair follicle testing that was ordered through the dependency and neglect petition in Juvenile Court. I litigated this in the trial court and wrote an extensive brief for the court as this was a case of first impression in Tennessee. The trial court used my legal research to uphold the taking of the hair follicle from the defendant for testing. The defendant appealed and the Court of Criminal Appeals also used the case law that I provided in my brief to uphold the ruling of the trial court on appeal.

State v. Jessie James Somerville, No. W2020-00105-CCA-R3-CD (Tenn. Crim. App., March 2, 2021). This defendant pled guilty on the day of trial. He asked to withdraw his guilty plea on the day of the sentencing hearing and it was denied. The recitation of facts that I put into the record on the entry of plea gave the trial court a solid basis to deny the request to withdraw the guilty plea and it was upheld on appeal.

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

attention of the Commission.

Although my legal career has been focused on the criminal, I do have exposure to civil court as well. As a law student I served as the Judicial Law Clerk to the Honorable George H. Brown, Jr., Shelby County Circuit Court Division VI, the Honorable S.A. Wilburn, Shelby County Circuit Court Division V, and upon Judge Wilburn's passing, I was the Judicial Law Clerk for the Honorable Kay S. Robilio. As the Judicial Law Clerk, I reviewed all the civil motion filings for those courts, read the briefs submitted by attorneys, researched the law and met with my Judges in chambers to review the cases that would be presented on the Court's docket and the applicable law. I also was employed as a law clerk at Glankler, Brown, Gilliland, Chase, Robinson and Raines and did a large amount of civil research for the lawyers in that law firm.

This past year I was given the opportunity to work with Senator Paul Rose as he drafted elder abuse legislation to improve the body of law governing the complex issues of elder abuse, neglect and financial exploitation. I am continuing to be involved with groups that are having in depth discussions on how to improve our reporting system for suspected financial exploitation cases before the bank accounts are drained. This legal experience has helped me grow as a lawyer and a person. These victims are near and dear to my heart and deserve our very best.

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

Not Applicable

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.

Cecil C. Humphreys School of Law, Memphis, TN Juris Doctorate, 1991, Law Review-1989, Who's Who Among American Law Students

Memphis State University, Memphis, TN Bachelor of Arts., English Major graduated Cum Laude in 1988 and went straight into law school. Dean's List, Member of Gamma Beta Phi Honor Society, Sigma Tau Delta English Honor Society, Member of Phi Mu Fraternity

Lambuth College, Jackson, TN Early Admission Student in 1984 I enrolled as a college freshman and completed my senior year of high school in the same year, transferring my college credits back to my high school to fulfill my graduation requirements. Dean's List, Dean's Scholarship Student, Phi Mu Fraternity. I transferred to Memphis State after completion of my freshman year due to my family moving to Germantown, TN. I could commute to Memphis

State and save my parents the extra money of room and board.

PERSONAL INFORMATION

12. State your date of birth.

1967

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

Since 1981

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

Since 1998

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

Lauderdale County

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.

Not Applicable

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.

Not Applicable

19. Please identify the number of formal complaints you have responded to that were filed against you with any supervisory authority, including but not limited to a court, a board of professional responsibility, or a board of judicial conduct, alleging any breach of ethics or unprofessional conduct by you. Please provide any relevant details on any such complaint if the complaint was not dismissed by the court or board receiving the complaint. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

Not Applicable

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.

I received a phone call from a collection agency in 2020 concerning a disputed debt. This was regarding work I had done on my home's crawl space to address a recurring moisture issue. The cost for this work was financed with \$MAC. I had a small remaining balance on a prior loan with them and I was told that this balance would be combined with the new loan which it was. It is reflected in the loan balance that I am currently paying on. There was a lack of communication between Terminix and \$MAC as to the combination of these loans. I had multiple discussions with both companies and was assured that the paperwork had been completed and it was all straightened out. It ended with a phone call from a collection agency. I explained to them what had occurred and they advised me that the matter was closed as far as they were concerned.

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

Not Applicable

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.

Final Decree of Divorce in Lauderdale County Chancery Court April 1, 2003 Docket #12605

Governmental Tort Liability Complaint in Lauderdale County Circuit Court July 18, 2016
Docket # 6912 sued by defendant Larry Michael Berkley as a pro se inmate Motion to Dismiss
granted on 12/27/16

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.

Carl Perkins Center for the Prevention of Child Abuse Vice President 2021 President effective July 2021

Ripley First United Methodist Church

Mary's Chapel Baptist Church

Involved in other organizations outside the 5 yrs

Exchange Club President

PTA President

Tina Turner Family Center President

Ripley High School Baseball Booster Club Treasurer

Phi Mu Fraternity Chairman of the Community Service Committee

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.

Lauderdale County Bar Association 1993 to present

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

Recognized for dedication to the prosecution of child abuse cases by the CPIT team

Fraternal Order of Police Woman of the Year 2006

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.

Not Applicable

ESSAYS/PERSONAL STATEMENTS

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

From an early age I made the decision to become a lawyer so that I could help people solve their legal problems. I have never wavered from my chosen career path, nor have I ever forgotten the core principle of helping people. There has never been a day in 29 years that I did not love the practice of law. It is this love of the law that has prompted me to apply for this judicial vacancy.

My legal background would bring a balanced approach to the bench as I have served in the 25th Judicial District as an Assistant Public Defender for 14 years and as an Assistant District Attorney for almost 15 years. I would welcome the challenge of implementing a judicial approach to reducing recidivism rates in this district, using my experience on both sides of the courtroom to construct meaningful solutions.

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 25th Judicial District comprises Lauderdale, Tipton, Fayette, Hardeman and McNairy Counties. Two Judges, Senior Judge J. Weber McCraw and Judge Joe H Walker, III divide the caseload. Large criminal dockets take up the majority of the Court's time. These dockets include two pending death penalty cases, one in Lauderdale and one in Hardeman, first-degree murder, second-degree murder, vehicular homicide, rape, aggravated robbery, aggravated child abuse and neglect, elder and vulnerable adult abuse, neglect and financial exploitation, aggravated assault, aggravated burglary, felony theft, DUI and drug cases.

My selection to fill this vacancy would allow for a seamless transition. I am excellent at docket management and have 29 years of experience conducting jury trials. I have participated in just about every possible hearing related to criminal litigation and have a mastery of the Tennessee Rules of Evidence and the Tennessee Rules of Criminal Procedure, which are both essential to protecting the court record.

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)*

As an attorney and without question as a Judge, I will uphold the law even if I disagree with it. An example of this is the expungement laws. I am the designated Assistant District Attorney to review expungement requests that are made by convicted defendants in Lauderdale County. The current state of the law is that only designated E felonies and one D felony for attempt to obtain a controlled substance by fraud under TCA 53-11-402 are eligible for expungement. Class A misdemeanors that are not on the exclusion list are also eligible for expungement. Assaults are a category of A misdemeanors that are excluded. I completely agree that Domestic Assaults should remain on the exclusion list as they are crimes that can be enhanced for priors if a defendant continues to reoffend.

However, simple assaults often fall into the category of the young and dumb years for a lot of people. It is difficult to tell these defendants that unfortunately their conduct when they were young and foolish will be on their record forever under the current state of the law. I have to explain to them that I must follow the law even if I don't agree with it.

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. Circuit Judge Joe H. Walker, III [REDACTED]

B. Senator Paul Rose [REDACTED]

C. District Attorney General Mark Davidson	[REDACTED]
D. Lauderdale County Mayor Maurice Gaines	[REDACTED]
E. General Sessions Judge Janice Craig	[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 Circuit Court of the 25th Judicial District, Part 11 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 16th, 2021.



 Signature

When completed, return this questionnaire to Ceesha Lofton, 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.

____Julie K. Pillow____
Type or Print Name


Signature

____6/17/21____
Date

____#015242____
BPR #

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