

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

Name: Jack B. D. Heath

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Hohenwald, Tennessee, 38462 (Lewis County)
(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 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. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. 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.

I am sole practitioner doing business as Heath Law Firm.

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

2015, 033858

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.

None other than 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).

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).

I began my legal career in 2015 as an associate for The Spitzer Firm under the training and mentorship of attorney Michael E. Spitzer. Mr. Spitzer and I formed a partnership doing business as Spitzer & Heath in 2016. In October of 2018, Michael E. Spitzer was appointed by Governor Bill Haslam as Circuit Court Judge for the 21st Judicial District, Division V (Judge Spitzer was transferred as the Division V Judge to the 32nd Judicial District.) I have remained as a sole practitioner doing business as Heath Law Firm from October of 2018 to date.

Prior to my legal career, I worked on the family farm with my mother raising cattle and training Tennessee Walking Horses (this was solely pleasure horses and not padded horses). I broke colts to ride for the public during and after high school. My mother owns and continues to operate our family farm which has been continuously owned and operated by our family for nearly two

hundred years. While I do still help my mother with the family farm when I am able, I have not been engaged in any other business for profit other than the practice of law since 2015.

Prior to law school, I also worked for other farmers in the area, doing general farm work such as taking care of farm animals, operating tractors and equipment, and hauling square bales of hay. During college, I also worked as a temporary factor laborer at Southern Carton Company and CKNA Manufacturing in Lewisburg, Tennessee.

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.

Approximately fifty to sixty percent of my practice consists of insurance defense for Tennessee Farmers Mutual Insurance Company. Twenty-five to thirty percent consists of estate planning and the probate of estates and conservatorships. I am also appointed by the court as a guardian ad litem, attorney ad litem, and administrator for an estate on a regular basis.

I am the County Attorney for Lewis County, Tennessee, the Industrial Development Board for the City of Hohenwald, and the City Attorney for the City of Lobelville in Perry County and this constitutes around five percent or so of my practice.

The remainder of my practice consists of general civil litigation, drafting and review of documents, and general legal advice.

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.

A majority of my experience has been at the trial court level. I have prosecuted and defended numerous motions of all types including multiple motions for summary judgment. I have tried several cases including boundary line cases, conservatorships, insurance coverage cases, contract disputes and other civil cases in front of a Circuit Court Judge or Chancellor. I have tried jury trials in Circuit Court in multiple counties throughout Tennessee.

A majority of my practice has been insurance defense, litigation of insurance coverage issues, and subrogation all for Tennessee Farmers Mutual Insurance Company. I have prosecuted and defended numerous cases both in the name of the insurance company and for its insureds. These include automobile accidents as well as accidents which occurred at an insured's home, farm, or business. I have represented my clients in numerous mediations in all of the above-described matters.

I have also litigated and/or tried boundary line cases, contract disputes, condemnation cases, conservatorships, guardianships, will contests, and many other civil matters.

I have extensive experience with all aspects of probate court including intestate estates, testate

estates, will contests, and conservatorships. I have regularly been appointed by the court to serve as an administrator for an estate. I have also been regularly appointed as guardian ad litem and attorney ad litem in conservatorship matters.

I have regularly practiced and tried cases in general sessions courts throughout this state in many different types of cases such as: subrogation, evictions, debt collections, contract disputes, and others.

I have closed multiple real estate transactions and have completed numerous title searches. I have reviewed and drafted documents for Payment In Lieu of Tax (PILOT) transactions for the Industrial Development Board for the City of Hohenwald.

I have regularly prepared transactional documents, business organizational documents, and contracts of many kinds.

I regularly meet with clients for estate planning and I regularly draft wills, powers of attorney, trusts, living wills, and other estate planning documents.

In the past, I have represented Lewis County Schools concerning all matters involving the school system such as: termination of tenured teachers for cause, school contracts, sunshine law education, freedom of information act requests, faculty and staff issues, student issues, and others.

For the past seven years, I have represented Lewis County Government which requires competence in many areas of the law. I have advised the County Mayor, Sheriff, Highway Commissioner, and the County Commission on a very broad range of issues from contract review to condemnation. I have filed and litigated multiple actions on behalf of Lewis County in Circuit, Chancery, and General Sessions courts. I attend all regularly scheduled commission meetings and provide advice to the commission and mayor. I have also served as the delinquent tax attorney for Lewis County for the past seven years.

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

I represented my client as the served but unnamed defendant uninsured motorist carrier in a jury trial in Lawrence County. The named defendant had been dismissed prior to trial, was not represented and was not present at trial. The named defendant had rear-ended the plaintiff and was driving under the influence at the time of the accident. The plaintiff had a medical expert testify that the Plaintiff was injured and that he would require future medical care for the rest of his life. My client made a significant offer before trial which was rejected. Despite having an empty chair and a DUI defendant, the jury returned a defense verdict.

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

In general, I would like to highlight my experience as not only lead but sole counsel in civil jury trials in a time where civil jury trials are increasingly rare. For example, I tried the first civil jury trial in Decatur County since Judge Creed McGinley retired in 2021. I believe I tried the only two civil jury trials in Lawrence County in 2023, and I believe the only civil jury trial in Lawrence County in 2022. In all of these trials, I was not only lead counsel but the only counsel for my clients. I have learned greatly from these experiences and I am much better prepared for the position I now seek than I would have otherwise been.

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

I submitted an application for a part time municipal court judge position for the City of Mt. Pleasant, Tennessee, in January of 2023. This was a part time position holding court approximately one day per month. My mother and father-in-law are from the Mt. Pleasant area which explains my interest in offering my service to the Mt. Pleasant community. I was not appointed by the City Council. I have not applied for any other judicial position.

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.

Columbia State Community College: Attended from 2007 to 2009. I did not receive a degree. I transferred to Middle Tennessee State University to pursue a four-year degree.

Middle Tennessee State University: 2009 to 2011. I received a Bachelor of Science with a major in Political Science and a minor in History in 2011. I worked as a research assistant to Professor Amanda DiPaolo during which time I researched recent cases involving the Foreign Intelligence Surveillance Act. During my time at MTSU, I was on the Dean's List each semester.

University of Mississippi School of Law: 2012 to 2014. I received my Juris Doctor *cum laude* in 2012. During my time at the University of Mississippi, I served as an editor of the *Mississippi Law Journal*. I was a member of the honor societies Phi Kappa Phi and Phi Delta Phi due to my academic achievements. I worked diligently throughout law school and was able to graduate a semester early because of this.

PERSONAL INFORMATION

12. State your date of birth.

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

Since October 31, 2015 (over nine years).

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

Nine years.

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

Lewis.

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. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

I have responded to one formal complaint filed with the Tennessee Board of Professional Responsibility of Tennessee which was dismissed.

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.

Yes. *Charles Inman and Carman Inman v. Jack B. D. Heath et. al.* Lewis County Circuit Court Docket No: 2019-CV-9; This action was filed in 2019 against me, my law firm, my legal assistant, and a party who I represented in a real estate transaction. I represented a party in a real estate transaction where I performed a title search. After I conducted the title search for my client the sellers, the IRS filed a lien against the property. The plaintiffs, who were the buyers, alleged, among other things, that I knew or should have known about the lien even though the lien was filed after the title search was conducted. The lien was subsequently released by the IRS. The case was dismissed with prejudice after a nuisance payment was made by my insurance carrier.

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.

I have been a member of the Sweetwater Church of Christ in Hohenwald, Tennessee. During this time, I was a song leader. My family and I have recently started attending the Spencer Hill Church of Christ in Mt. Pleasant, Tennessee, where my wife's family goes to church. I have also been a member of the Hohenwald/Lewis County Chamber of Commerce.

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.
- If so, list such organizations and describe the basis of the membership limitation.
 - 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.

I have been a member of the Hickman, Lewis and Perry County Bar Association, and have been a member of the Tennessee Bar Association.

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.

I have been voted as the *Lewis County Herald's* Reader's Choice Best Attorney in Lewis County for 2020, 2023, 2024, and 2025. In the past, I have had the honor of serving as the attorney for Lewis County Schools and the City of Hohenwald. I currently have the honor of serving as the attorney for Lewis County, the City of Lobelville, and the Industrial Development Board of the City of Hohenwald.

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.

I have held the position of Notary Public continuously since 2015. This is an appointment by the Lewis County Commission. I submitted an application for a part time municipal court judge position for the City of Mt. Pleasant, Tennessee, in January of 2023. This was a part time position holding court approximately one day per month. My mother and father-in-law are from the Mt. Pleasant area which explains my interest in offering my service to the Mt. Pleasant community. I was not appointed by the City Council. I have not applied nor have I been a candidate for any other position.

ESSAYS/PERSONAL STATEMENTS

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

My community has given tremendously to me and my family. Others have encouraged me to apply for this position, and I am confident that I could positively affect my community through my service in this position.

I have had the pleasure of practicing law before many exceptional trial judges throughout Tennessee, and I have learned from them the qualities of a good judge. Respect for litigants and their attorneys is the most important quality in a judge. To me, this respect requires: patience, impartiality, a willingness to listen, preparedness (having read the filings before court), timeliness, (being on time to court in the morning and on breaks), competence, and knowledge of the law. The judges who exhibit these qualities have positively impacted their communities tremendously.

I would strive each day to exhibit these qualities and I believe that this would have a positive impact on my community.

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)*

One judge handles all matters, including Circuit Civil, Criminal, and Chancery, in the 32nd Judicial District. The judge here has a profound impact on the people in this judicial district. Fortunately, the people have been blessed with one of the best judges in this state with Judge Michael Spitzer. When I began my practice, I had the great privilege of having then attorney Spitzer as my employer and mentor. If selected, I would attempt to maintain Judge Spitzer's example of integrity, respect, impartiality, and competence.

Hickman, Lewis, and Perry Counties all are rural with Perry County consistently being listed as one of the most economically distressed counties in Tennessee. I grew up on a farm, have worked in factories, and understand the people of these counties. I have also represented multi-millionaires and multi-million-dollar companies. I would be understanding and impartial when deciding issues coming before the court from the minimum wage worker to the largest company

in the state.

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)*

Upholding the law, regardless of disagreement or other reason, is paramount for this position. I would strive to uphold the law without bias, prejudice, or partiality. As an example, I have represented beneficiaries of estates and have been appointed as an administrator for estates where TennCare has filed a claim against the estate for recovery of benefits paid by TennCare for the long term and/or nursing home care of the decedent.

In each instance, TennCare is entitled to be repaid from the decedent's estate which usually includes the sale of the decedent's real property since a person does not qualify for TennCare benefits if they have significant assets. Many times, the decedent was a blue-collar individual who physically worked hard most of their life to pay for the real property that is ultimately sold and the money paid to TennCare. Regardless of this fact, the law requires that the property be sold and the money paid to TennCare. In every instance, I have worked diligently to assist in the sale of the real property and to ensure that TennCare is repaid the amount that it is entitled to under the law.

I do not have a solution where the state can get reimbursed and the family can keep the real property, but it is a harsh result in most cases.

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. Hon. David L. Allen, Circuit Court Judge, 22nd Judicial District (Retired), [REDACTED]

B. Julie Bowling, General Counsel, Tennessee Farmers Mutual Insurance Company, P.O. Box 998, Columbia, Tennessee, 38402-0998; [REDACTED]

C. Lee M. Burklow, Sr., Executive Director, Morgan Stanley, 3102 West End Avenue, Suite 200, Nashville, Tennessee, 37203; [REDACTED]

D. Hon. Jonah Keltner, Lewis County Mayor, 110 North Park Street, Hohenwald, Tennessee 38462; [REDACTED]

E. Hon. Robby Moore, Mayor, City of Lobelville [REDACTED]

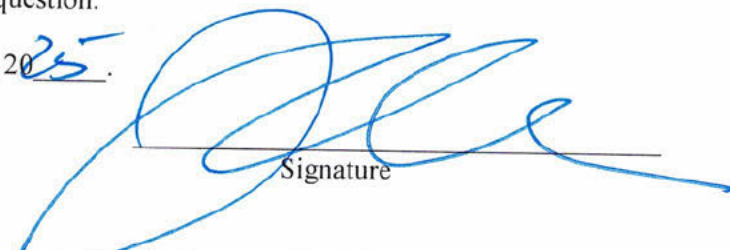
AFFIRMATION CONCERNING APPLICATION

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 32nd Judicial District 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: May 9th, 2025.


Signature

When completed, return this questionnaire to John Jefferson at the 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.

Jack B. D. Heath

Signature

Date May 9, 2025

BPR # 033858

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

NONE