

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

1/17/23

Name: JOHN MICHAEL SCHWERI

Office Address: 101 S. PUBLIC SQUARE, CENTERVILLE TN 37033  
(including county) HICKMAN COUNTY

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(including county)

Home Phone: [REDACTED] Cellular Phone: [REDACTED]

**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](http://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.

ASSISTANT PUBLIC DEFENDER, 32<sup>ND</sup> JUDICIAL DISTRICT  
HICKMAN, LEWIS, AND PERRY COUNTIES  
November 1, 2023 – Present

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

2013 AND BPR NO. 032357

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. NO. 032357, NOVEMBER 2013, CURRENTLY 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).

2010–2017, Sales and marketing for The Book Publishing Company, a 50-year-old publishing company located in Summertown, Tennessee: Sold and promoted more than 500 titles in the subject areas of nutrition, health, education, environmental conservation and other subject matters. Worked directly with authors to develop new books for students struggling with reading; traveled to regional and national tradeshow on education, natural health, and



environmental conservation to present new titles and develop new partnerships with public and private school systems nationwide.

2009–2019, Self-employed: Developed a residential rental property company, Wall Properties LLC in Nashville, Tennessee, with a business partner and managed a rental company.

2013, Gaye Thompson, CPA, Columbia, Tennessee: Prepared individual tax returns under supervision of a CPA.

2013–2015 and 2016–2023, Self-employed, Law Office of John M. Schweri: Built my own firm that provided legal services for 13 counties and several judicial districts, including the 17<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 22<sup>nd</sup>, 32<sup>nd</sup>, and the counties of Bedford, Davidson, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Perry, Rutherford, Wayne, and Williamson. Practice areas included: criminal defense in all state courts; civil litigation in general sessions and circuit court; divorce and domestic relations in juvenile and chancery courts; child support contempt in juvenile, chancery, and circuit court; dependency and neglect matters in juvenile court; termination of parental rights in chancery court; estate planning and probate; business formation and incorporation, contracts, individual and corporate tax preparation, audit defense, U.S. tax court petitions, and deed preparation; appellate work to court of appeals, court of criminal appeals and Tennessee Supreme Court.

2015–2016, Law Office of Robert D. Massey, Pulaski, Tennessee, Associate Attorney: Practiced law with an attorney with 33 years of experience to gain additional training from an experienced attorney. Worked on first appellate cases, provided assistance to the senior attorney on his cases, and worked my own caseload, which I was wrapping up from my own firm, in addition to new cases from Mr. Massey's firm.

2019–Present, Self-employed, Meadow Green Hall LLC: Bought an event center and manage it hosting conferences, concerts, weddings, memorial services, birthday parties, and festivals.

2019–Present, Self-employed, Foxwood Properties LLC: Started my own residential real estate company and rent out homes in the Middle Tennessee area.

2023–Present, Assistant Public Defender 32<sup>nd</sup> Judicial District serving Hickman, Lewis, and Perry counties: Represent indigent clients in all criminal courts—general sessions, circuit court, and appellate courts.

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.

Assistant Public Defender in 32<sup>nd</sup> Judicial District; practice area is 100 percent criminal defense. A lot of time is spent working with clients and their access to rehabilitation programs, mental health services and facilities, and other invaluable help to assist fragile individuals in the 32<sup>nd</sup> judicial district in finding resources to improve their lives.

On any given court date I represent 12 to 20 individuals and research their backgrounds; review the charges against them and the law associated with the legal matter(s); meet with the client, police officers, family, victims, witnesses, and other relevant parties; perform research of fact and law; and attempt to reach a resolution with the district attorney's office, or if we cannot reach a resolution, have a hearing or trial to resolve matters in front of a judge.

A great deal of time is spent at the jail discussing matters with clients, as they are often in custody of the sheriff's department and cannot make bond.

I will often work with clients' families to keep them informed and to try and work as a team to get the best resolution for my clients.

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 represented approximately 3,500 people in private practice at my own firm and the law office of Robert D. Massey over 10 years in the areas of criminal defense, civil law (to include landlord-tenant, contract disputes, car accidents, and family law [including divorce, child custody, termination of parental rights, child support contempt and modifications], estate planning such as wills and other estate documents, and probate court, where we addressed issues such as conservatorship, property division in a will, drafted deeds, prepared individual and corporate tax returns, defended individuals in audits at the federal level, filed and argued petitions in U.S. tax court and have been admitted to U.S. tax court since 2019.

I was appointed to and resolved more than 2,200 appointed cases for judges in 13 counties and was appointed to general sessions, circuit court, appeals to the court of appeals, and court of criminal appeals, dependency and neglect cases where I represented parents or served as the guardian ad litem and represented a child's interests, and as guardian ad litem in estate cases where I represented elderly, often fragile people in navigating their estates and the probate court.

I've had 11 criminal jury trials in circuit court on criminal cases, including attempted first-degree murder, child rape, aggravated robbery, aggravated assault, felony harassment of a governmental official, aggravated burglary, theft over \$10,000, and other crimes. I've been successful in more than half my jury trials.

I've had civil trials in general sessions and circuit court.



I've had termination of parental right trials in chancery court.

I've represented people in federal audits that spanned multiple years and met with the Internal Revenue Service multiple times in Knoxville, Tennessee on behalf of clients.

I filed petitions on behalf of every single drug-free-zone-conviction client I had represented over the years that allowed them the opportunity to be resentenced under the new drug-free-zone laws and helped them reduce sentences from 100% sentencing to lower percentages and handled four clients' cases in Maury County on the same day after the law changed.

Typically, I would attend court 275 to 300 times a year (20–30 times per month) in 13 counties, often going to court in 2 to 3 places per day, 3 to 4 days per week to cover all the cases I was appointed to or hired on.

I strived to never tell a judge “no” when asked to take an appointed case, which got me appointed to everything from simple possession to first-degree murder.

I understood that the judges were under pressure to resolve their dockets and needed people to take appointed cases and that many attorneys would not be willing to assist.

Some of the busiest years, I resolved up to 335 appointed cases per year in addition to private-retained cases.

I worked typically 50 to 65 hours a week or more in private practice, where a typical day was going to 2 to 3 courts and heading back to the office in the afternoon, meeting with clients and doing paperwork, often until 8 or 9 p.m. during the week. I worked many weekends over 10 years in private practice and still work weekends occasionally, when needed, as an assistant public defender for the State of Tennessee.

Working with Bob Massey gave me insight from an attorney with 33 years of experience, which increased my education and gave me invaluable training that would have taken years to develop otherwise on my own without a mentor to work with day in and day out. Bob Massey and I would work from 7:30 a.m. to midnight often and would hardly ever leave the office before 8 or 9 p.m.

Working for Bob Massey provided invaluable experience. I will always appreciate the opportunity to learn from someone with the wealth of experience and standards of excellence that he has.

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

I have been successful in 6 out of 11 criminal jury trials, which is significantly higher than the national average for criminal jury trials.

I have never had a board complaint that was not quickly resolved as a cap complaint or ultimately dismissed and have never been disciplined in 12 years as an attorney.

I have never sued a client for fees or any other matter.

A client has never sued me.

I have never said “no” to a judge when asked to take an appointed case.

I resolved more than 2,200 appointed cases for the state of Tennessee over 10 years.

I would provide more than 100 hours of pro bono legal service each year to people in need who could not afford an attorney.

I held my own pro bono estate-planning clinics and did free estate plans for families of modest means in Summertown, Tennessee, and surrounding areas.

I never withdrew from a case due to the client’s failure to pay and represented my clients’ cases to completion regardless of their ability to pay.

I strived to be beyond fair, to a fault, to all parties in all legal matters, state or private attorneys and their clients, and do what was best for all involved within the parameters of the law and to treat the other parties and their clients with respect and integrity.

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

I was a member of the Middle Tennessee State University Policy Debate Team from 1999–2003 and was awarded a full scholarship to get my master’s in business administration (MBA), as well as a graduate teaching assistant (G.T.A.) position for the speech department. I became the Assistant Director from 2001–2003. Many of our topics involved research, including law review articles, international treaties, and federal case law and administrative agencies.

Most of the topics in policy debate involved situations where international laws and treaties were in review, and conflicts of different types (such as political or economic) existed between nations and had to be resolved.

This is where I learned to analyze different countries’ laws and policies regarding working through fundamental problems and gained an appreciation for how different countries and regions dealt with fundamental issues we live through regularly such as education, natural



resource management, economy, food scarcity, and other topics relevant to co-existing as an international community.

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

NONE

### 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.

August 1995–May 1997, Columbia State Community College: General coursework

August 1997–2003, Middle Tennessee State University:

- B.S. in Mass Communications in Journalism with minors in Business Communication and Speech Communication (graduated May 2001)
- Master of Business Administration (MBA) in Computer Information Systems (graduated August 2003)

August 2005–May 2011, Nashville School of Law

- J.D. (graduated May 2011)

Other relevant experiences, recognitions and awards:

- Middle Tennessee Policy Debate Team Member 1999–2003
- Awarded Top Speaker in the State of Tennessee, 2001, Cookeville, TN
- Awarded Top Speaker in South Central Region of 11 states, 2001, Gainesville, Florida
- Awarded Graduate Teaching Assistant position at MTSU and full scholarship to masters of business administration (MBA) program, 2001
- Middle Tennessee State University won the state and regional championship in 2001 when I was on the debate team as a debater, and then we won when I was coach in 2003.
- Awarded Top Student Paper, Tahoe Debate Conference, 2001 for my paper entitled *The Long Road Home To Me*
- Awarded Outstanding Contribution Mid State Debate Institute 2001
- Awarded Outstanding Contribution Arizona Debate Institute 2002

**PERSONAL INFORMATION**

12. State your date of birth.

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

48 years, entire life
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14. How long have you lived continuously in the county where you are now living?

13 years, lived in Lewis County 1976–1990, 1995–1997, 2012–present
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15. State the county in which you are registered to vote.

Lewis County
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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
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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
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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
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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.

Board of Professional Responsibility report with a History of Complaints and Letter of Good Standing was requested 5/1/25. Attorney was found to be in Good Standing with the Board. Two cases were listed. One was Dismissed. Second case was stayed pending the completion of the case and the child died from cancer that was the subject of the litigation. I have notified the Board the week of 5/12-5/16 of the death of the child and anticipate the closing and Dismissal of the case.

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 involved in a car accident in Rutherford County in 2001, was sued by the other driver, and it settled February 12, 2004, in Rutherford County Circuit Court with an order of dismissal.

DOCKET NO. 44629

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.

Watershed Public Theatre – board member, 2019–present, Columbia, TN

The Farm School – volunteer music instructor, 2020–present, Summertown, TN

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.

Maury County Bar Association member, 2013–2023  
Tennessee Bar Association member, 2013–present  
American Bar Association member, 2013–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.

Outstanding Attorney of the Year 2024, 32<sup>nd</sup> Judicial District, District Public Defender's Office

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'm seeking this position to serve my district in a greater capacity and participate in a hands-on way in resolving community legal matters. I want to make decisions that foster a fair process for all to be heard; attempt to make long-lasting contributions to resolving or adjudicating conflicts in a way that positively impacts each of the parties' lives; and contribute to the strength of family and community. I want to serve my District by making the Courts available and of the utmost efficiency to process the ever-increasing backlog of cases in our Jurisdiction. I believe being Judge is a service to the people and vital to rebuilding and strengthening families, protecting victims, assuring fair property divisions and resolving conflicts fairly in accordance with State law, that takes into consideration the needs of all parties involved and makes the best outcome possible within the parameters of the law.

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 seek a judgeship in the 32<sup>nd</sup> District of Tennessee where the docket comprises primarily felony criminal cases and domestic relations cases (divorce, child custody, and child support contempt), but also Probate and Estates, boundary line disputes, civil litigation, Appeals out of Juvenile Court and General Sessions, Orders of Protection, Emergency Restraining Orders, and Termination of Parental Rights cases..

As Judge, I could offer broad, extensive local experience—representing more than 3,200 people in Court in all areas of the law that the Judgeship would cover.

I would improve the quality of our District by continuing the work that Judge Spitzer has done with TN ROCS and Mental Health Court, creating a Drug Court, and working with my team to secure funding for as many new projects and positions possible to benefit the District and its citizens.

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. In domestic relations cases, I have had often had to hold my own clients accountable to follow the Parenting Plan and State law when emotions ran high in child custody cases and I was the bad guy to them in Order to uphold my responsibility as an Officer of the Court and follow the Court's Orders and the laws of the State of Tennessee.

### 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 Lee Bailey	[REDACTED]	Judge.Lee.Bailey@tncourts.gov	[REDACTED]
B. Judge Caleb Bayless	[REDACTED]	[REDACTED]	14 Public Sq Columbia TN 38401
C. Judge Forest Durard	[REDACTED]	[REDACTED]	PO Box 1858 Shelbyville TN 37162
D. Malinda McIntyre	(Assistant to Judge Stella Hargrove)	[REDACTED]	[REDACTED] PO Box 263 Lynnville TN 38472
E. David Stanfill	[REDACTED]	Maury County Sheriff's Department	dstanfill@maurycounty-tn.gov [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 [Court] 32<sup>nd</sup> Judicial District - Circuit 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 13, 2025.

John M. Schwer

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.

John M. Schweri

Type or Print Name

John M. Schweri

Signature

May 13, 2025

Date

032357

BPR #

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