

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

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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 work at Holder Law & Title, LLC, Centerville office 100 S. Public Square, Centerville TN 37033 and Linden office 116 E. Main Street, Linden, TN 37096, phone (931) 716-1004, email: tish@holderlawandtitle.com

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

2004, BPR #023966

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 have only been licensed in Tennessee. I was licensed in Tennessee on November 10, 2004, BPR #023966 and my license is "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, I have not been denied admission, suspended or placed on inactive status by any Bar.

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).

After graduating from Univ. of Tennessee School of Law in May, 2004 and successfully taking the July 2004 Bar Exam, I accepted a position as an associated attorney at Harvill & Associates, PC in Centerville, Tennessee. While working at Harvill & Assoc., I was mentored and gained invaluable knowledge about the practice of law not only from the attorneys I worked with but the attorneys in our community. Harvill & Assoc. was a general practice law firm and as an associate I handled general session, juvenile, chancery and circuit cases primarily in Hickman, Lewis and Perry counties as then part of the 21st Judicial District. I also handled real estate transactions such as cash purchases, lender funded transactions, and refinances. I also started handling indigent representation - representing parents in dependency and neglect proceedings, termination of parental rights cases, court of appeals regarding termination cases, served as the

guardian ad litem in dependency and neglect and termination cases, represents child support contempt defendants, represented criminal defendants in sessions and circuit court, and as guardian ad litem for the ward in conservatorship cases. I also became a licensed title insurance agent through the State of Tennessee and wrote title insurance for Old Republic which I continue to do to date. I worked at Harvill & Associates through September, 2022 and then I opened my own law practice of Holder Law & Title, LLC. After starting Holder Law & Title in September, 2022, my practice shifted into more real estate transactions and probate, will, estate matters while still handling family law and juvenile court cases.

In between my first and second year of law school, I worked for attorney Rick Wood's law office in Parsons, Tennessee assisting in legal research, preparing deeds, general law office work, and scheduling client meetings. During my 2L and 3L years, I was a teaching lab assistant in Excel/Accounting for Introduction to Business Transactions and Legal Research courses.

During breaks from school, I worked for Johnson Controls (now NYX) in Linden as a general assembly line worker for automotive car parts, I interned at Perry Community Hospital in Linden in the physical therapy department, worked at Univ. of Tennessee at Martin as computer lab assistant and tutor for college students, and worked ad hoc in the Perry County Register of Deeds office all in between my Junior year in High School and 1L year in law school.

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.

Currently, my areas of practice focus on real estate transactions with regular transactions precipitated from lenders/banks, realtors, prior clients, probate cases, preparation of wills, deeds, family law cases such as divorce, paternity, child support, termination of parental rights and adoption, and juvenile court dependency and neglect practice.

My practice is roughly real estate transactions about 50%, family law 15%, probate 25%, and juvenile court practice 10% at this time.

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.

In general, I have been a general practice attorney in Hickman, Perry and Lewis Counties. I am generally in the Circuit/Chancery motion court days in Hickman and Perry and some Lewis County dates and have been my entire 20-year practice. I have tried multiple divorce cases regarding grounds, division of assets and liabilities, parenting plan and other issues. I have tried many dependency and neglect cases, including several appeals to Circuit Court. I have tried multiple termination of parental rights cases and appealed some of those cases. Earlier in my career, I was more frequently in General Sessions Criminal and some Circuit Criminal courts for all three counties regularly. I have represented clients from cases such as detainer warrants,

disputes regarding personal property. I have represented defendants in preliminary hearings and bond hearings. I have done appellate work regarding termination of parental rights cases on approximately four cases.

As a Board of Professional Responsibility Hearing Committee member, I have primarily reviewed request for dismissals.

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

During my practice, I have had the experience of representing difference "sides" of a contested termination of parental rights cases that ultimately resulted in a reported case and I successfully overturned a trial court ruling in another case.

My first appeal as a licensed attorney was *In re Giorgianna H.*, 205 S.W.3d 508 (Tenn. Ct. App. 2006). I was not trial counsel for this case but was asked to take the appointment for the Father in this termination appeal. To my knowledge, I had not tried a termination of parental rights case at that time. Also, during the time of this appeal, an appeal of the underlying dependency and neglect finding was on appeal as well. It provided an opportunity for immersion in an area of law that I was not totally familiar with, nor did I expect to enjoy practicing. Despite not overturning the trial court on all issues, it cemented to me the importance of procedurally having a case tried in the proper manner and it continues to be cited to date.

On the other side of this type of litigation, I appealed a denial of a termination of parental rights case and successfully overturned the trial court's best interest analysis in the case *In re Autumn L.*, No. M2018-01184-COA-R3-PT, 2019 Tenn. App. LEXIS 73 (Ct. App. Feb. 8, 2019)

Throughout the years, I have handled many terminations of parental rights cases from being the Petitioners' attorney or representing the Respondent and have been successful in both capacities. Being appointed to the case that ended up being *In re: Giorgianna H.* while not sought out, turned out to be an invaluable experience in the beginning of my legal career.

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

After my first year in law school, I worked for Wood Law Offices, Hon. Ricky Wood, in their Parsons, Tennessee office. At that time, I had not worked in a law office before and did not really have any experience with an attorney's office. I was able to be involved in a general practice, rural law office and was impressed by the ability to being able to help persons in different areas in the law in a small community.

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

This is the first application I have submitted for a state or federal 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.

University of Tennessee at Martin, 1997 – 2001, awarded Bachelor of Science Degree in Business Administration with Major of Accounting, summa cum laude

Columbia State Community College, June – July 1999, attended summer course for two accounting classes which were successfully completed to transfer to Univ. of Tennessee, Martin.

University of Tennessee at Knoxville, College of Law, 2001-2004 awarded Doctor of Jurisprudence. I received a certificate of completion for Concentration in Business Transactions.

PERSONAL INFORMATION

12. State your date of birth.

[REDACTED]

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

45 years

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

8 years

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

Perry

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.

I do not have any military service background.

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.

None that I am aware of.

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.

None.

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.

Hickman, Lewis & Perry County Bar Association - member and served in different capacities including President, Vice-President, Secretary/Treasurer approx. 2010-2020

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.

- Tennessee Bar Association Member for 20 years.
- Hickman, Lewis and Perry County Bar Association – member and served in different capacities including President, Vice-President, Secretary/Treasurer approx. 2010-2020.
- Board of Professional Responsibility Hearing Committee Member 2020-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.

- Selected as Administrative Office of the Courts Juvenile Court Trainer
- Selected as Board of Professional Responsibility Hearing Committee Member
- Recognized as an Attorney for Justice for contributing 50 or more hours each year in pro bono or indigent representation

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 was a candidate for the elective position of Perry County General Sessions Judge in August, 2014 and August, 2022.

ESSAYS/PERSONAL STATEMENTS

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

The position of Circuit Court Judge was not a position I considered until Fall, 2022. Until that time, Perry County was in the 21st Judicial District which was comprised of Williamson, Hickman, Lewis and Perry Counties and the population disparity would not favor someone from Perry County running for that position. In practicing in Court on a frequent basis, I have learned the value of having a Judge with integrity, discernment, judicial temperament, and legal knowledge/experience. I believe I possess those characteristics. Our judicial district requires someone that will travel the district and that can manage the Court Dockets as a single-judge district. I want the 32nd Judicial District to be successful and believe I can benefit the 32nd District if appointed. With our recent division from Williamson County and those resources, I would like to further the programs and resources available to these counties.

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)*

This judgeship is for the recently created 32nd Judicial District which serves Hickman, Lewis and Perry Counties. It is a single Judge district. Although the population size of the district is relatively smaller, the caseload is healthy and travel to each county is required. The 2023-2024 Tennessee Judiciary Annual Statistical Report of the Tennessee Judiciary shows that 614 new cases were filed civilly (probate, divorce, child support largest categories) and 80 Circuit Civil were filed (majority general civil litigation) and 1,719 criminal cases were filed (largest categories being drug and motor vehicle related).

I grew up in this District and worked my entire 20-year legal career in this District. I travel

these counties daily and am in this District's Courts routinely. If selected, I will successfully meet the geographic and motion/trial docket requirements for the position while being able to relate to the parties and attorneys before the Court.

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

Yes, I will uphold the law even if I disagree with the substance of the law at issue. I believe this is a fundamental requirement for any judicial applicant.

An example from my experience with a law that I have personally disagreed with comes from termination of parental rights grounds and the willfulness component that was part of the statutory definition of abandonment found in T.C.A. §36-1-102. It has been a longstanding struggle in termination of parental rights cases to prove willfulness of biological parent's conduct required for abandonment especially if the parent is absent, will not comply with discovery requests, and/or does not testify in a forthcoming manner. Recently, there was a change to the definition section stating that "The parent or guardian shall bear the burden of proof that the failure to visit or support was not willful. Such defense must be established by a preponderance of evidence. The absence of willfulness is an affirmative defense pursuant to Rule 8.03 of the Tennessee Rules of Civil Procedure" T.C.A. § 36-1-102(1)(I). I personally always felt that a burden shift made sense in this statute. I have complied with the law as written depending on which party I represented and believe this recent change by legislation is appropriate.

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. Rep. Kirk Haston, District 72 State Representative, [REDACTED] P.O. Box 171, Lobelville, TN 37097.

B. Melanie Cagle, 32nd Judicial District, Public Defender, [REDACTED] 101 S. Public Sq., Centerville, TN 37033.

C. Stacey Edmonson, 21st Judicial District, District Attorney [REDACTED] 7100 Commerce Way, Ste. 295, Brentwood, TN 37027.

D. Nick Weems, Perry County Sheriff [REDACTED]

E. Miranda Ray, DCS Child Programs Team Coordinator [REDACTED] P.O. Box 153,

Hohenwald, TN 38462.

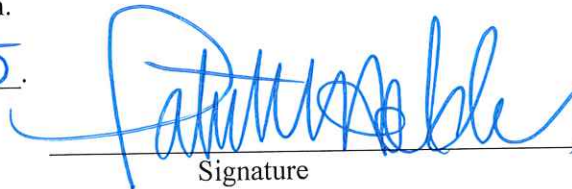
AFFIRMATION CONCERNING APPLICATION

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

I have read the foregoing questions and have answered them in good faith and as completely as my records and recollections permit. I hereby agree to be considered for nomination to the Governor for the office of Judge of the [Court] Circuit Court for 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 13, 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.

Patricia W. Holder

Type or Print Name

Signature

May 13, 2025

Date

023966

BPR #

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

(1) State of TN Dept of Commerce and Insurance

License No. 978711, Title Insurance Producer