

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

1/17/23

Name: Harold E. Rushton

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(including county) \_\_\_\_\_

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

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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](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.

Attorney and Law Partner at The Rushton Law Firm, PLLC.

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

Year Licensed: 2016. Board of Professional Responsibility number: 035306

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 number 035306. Date: 10/11/2016. My license is 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).

**I possess over (40) forty years of combined professional and legal experience, which includes the following:**

**The Rushton Law Firm, PLLC - Nashville, TN - *Attorney / Partner* (2016 - Present)**

- Trial attorney with extensive experience in all phases of civil litigation from intake, through trial and on appeal in all Tennessee state and some Federal courts.
- Represented clients in complex civil litigation, through trial, including divorce and domestic matters, orders of protection, restraining orders, child custody, multi-jurisdictional U.C.C.J.E.A. issues and contempt matters in approximately (19) counties in middle Tennessee.
- Represented clients in various other civil litigation, including construction defects, contract disputes, consumer protection claims, fraud, personal injury,

business and various other complex civil litigation in both state and federal courts.

- Extensive experience taking depositions, conducting discovery, litigating motions, drafting pleadings, orders, petitions, complaints, appeals, negotiating contracts, defending and prosecuting orders of protection, negotiating settlements, conducting mediations, trials and other general civil litigation.
- Routinely obtained successful results for clients at all phases of litigation, from inception through litigation, negotiations, mediation, trial and appeals in highly contested matters.
- Served as criminal defense attorney representing clients in criminal proceedings.
- Trained and supervised numerous associate attorneys, paralegals and office staff.
- Managed law office, including budgeting, supervision of staff, planning, advertising and other related office operations.
- Well-versed in the use of modern computer software, attorney time collection programs, and various relevant types of litigation software. High level of competency in use of Apple Mac and Microsoft computers.

**Schell & Davies, Franklin, TN *Law Clerk / Investigator* (Jan 2014 – July 2014)**

- Served as law clerk for the Honorable Judge R. E. Lee Davies and staff attorneys.
- Conducted legal research regarding specific issues in litigation.
- Drafted briefs regarding legal issues related to ongoing cases.
- Conducted private investigations of matters related to pending cases.

**Legal Resolution Group, Franklin, TN – *Licensed Private Investigator* (2013 – 2015)**

- Formed, organized and operated private investigation firm.
- Licensed Tennessee private investigator.
- Conducted surveillance for private entities, attorneys and litigants.
- Focused on domestic relations matters, such as child custody and divorce.

**Playmasters Recreation, Goodlettsville, TN - *General Contractor* (2003 – 2016)**

- Successfully founded recreation design and general contracting business.
- Obtained and maintained Tennessee General Contractor's License. Complied with state law, local ordinances and regulations, as required.
- Supervised subcontractors and employees performing commercial construction projects.
- Managed, executed and drafted detailed contracts, proposals and administrated all aspects of the business.

**State of Alabama, Department of Public Safety - *State Trooper Supervisor* (2000 – 2003)**

- Supervised approximately (35) thirty-five sworn and non-sworn state trooper and support employees in a (6) six county district on a rotational basis.

- Conducted performance evaluations, counseled employees, made recommendations for disciplinary action and meritorious awards, and instructed subordinate employees in specialized training.
- Assisted employees with growth within the organization.
- Planned, supervised and executed special events including governor security details, high risk S.W.A.T. (tactical operations), hostage rescue and drug warrants.
- Supervised traffic homicide investigations and served as certified Traffic Accident Reconstruction expert.

**State of Alabama, Department of Public Safety - *State Trooper*** (1994 – 2000)

- Performed daily state trooper duties, enforced all state laws, testified in court, trained as Certified Traffic Accident Reconstructionist, served as field training officer, academy training and counseling officer for new recruits, radar instructor, conducted traffic homicide investigations, led the district for multiple years and state in DUI enforcement and provided expert witness testimony.
- Served on the State Trooper S.W.A.T. Team as the assistant team leader, entry team member, and instructor for C.Q.B., I.B.T., land navigation, tactical field operations and advanced firearms instruction.

**State of Mississippi, District Attorney's Office - *Criminal Investigator*** (1991 - 1994)

- Supervised and prepared complex criminal investigations for trial.
- Interviewed witnesses and suspects.
- Conducted legal research and exclusively prepared felony cases for trial.
- Supervised and administrated pre-trial diversion program for criminal offenders.

**Director Leaf River Drug Taskforce – *Director*** (1991 – 1994) (*served concurrently in this position while working as District Attorney's Criminal Investigator*)

- Responsible for the planning and creation of new drug taskforce operating in multiple counties and municipalities.
- Under my leadership, the taskforce secured over (500) five hundred indictments related to the sale and or distribution of illegal narcotics in the first session of a specially seated Grand Jury after creation of taskforce.
- Routinely involved in the day-to-day planning and organization of highly complex criminal investigations.
- Selected and supervised (7) seven narcotics agents and (1) one support staff member in execution of the organization's mission.

**City of Athens Police Department -*Police Officer / Narcotics Investigator*** (1988 - 1991)

- Performed routine duties of police officer.
- Testified in court, documented evidence, interviewed witnesses and suspects.
- Conducted criminal investigations while assigned as Agent to drug task force.

**Thermo-Kool, Mid-South Industries, Inc.- *Quality Control Supervisor* (1985-1988)**

- Reported directly to Vice President of Company regarding quality issues of products produced by approximately (100) one hundred employees in factory.
- Conducted all final quality control inspections of materials and finished products.
- Tasked with overall quality assurance of all products leaving the factory.

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 currently serve as a trial attorney practicing in various areas of law. I formed my practice in Davidson County, primarily handling complex litigation matters. I have a vast amount of experience as an attorney having practiced in approximately (19) nineteen counties, before no less than (50) fifty judges, across middle Tennessee in all state trial courts, the court of appeals and some federal courts. Those courts include the Circuit Courts, Chancery Courts, Criminal Courts, General Sessions Courts, Juvenile Courts and Federal court.

I have focused on family law, domestic relations, child custody, orders of protection, multi-jurisdictional U.C.C.J.E.A cases and other related matters. It is estimated that approximately (60) sixty percent of my practice has been focused on domestic relations matters.

I have handled many domestic cases, including complex divorce, child custody, orders of protection, modification of child support and post-divorce matters from intake, through resolution and trial. This experience includes conducting countless depositions, extensive written discovery, representing clients at countless mediations, judicial settlement conferences, order of protection hearings, contempt hearings, motion hearings and other such litigation. Through the nature of domestic litigation, I have gained vast experience in all areas of litigation from inception, through trial. My representation has not only been extensive, but it has also been successful. As a result, I am humbled to enjoy a favorable reputation in the local legal community through honest, diligent and effective client representation in the area of domestic law.

I also practice in the areas of construction, contract, consumer protection, business law and personal injury, focusing primarily as a plaintiff's attorney regarding defective construction matters. I have handled these complex litigation matters from intake through trial and on appeal. Once again, my clients have enjoyed a very high percentage of successful resolution at trial in all matters where I served as the Plaintiff's trial attorney. This includes matters dealing with violations of the *Tennessee Consumer Protection Act*, which were triggered due to unfair or deceptive acts by persons acting as contractors. I take these matters very seriously and continue to zealously advocate for the rights of homeowners through trial and in the appellate courts. It is estimated that this area has encompassed approximately (30) thirty percent of my practice.

General civil litigation encompasses approximately (10) ten percent of my practice as well.

Early on in my legal career, I also represented clients in various criminal defense matters in Nashville, Davidson County. That included initial appearances, hearings, settlement negotiations and general criminal litigation in both the General Sessions and Criminal Court. Through those cases, I gained valuable experience as an attorney dealing with the operations of the Davidson County criminal courts.

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.

My litigation experience is extensive, as referenced above in question (6) and includes serving as a trial attorney from intake, through trial and on appeal, when necessary. I have focused primarily in the area of complex domestic relations matters but have a wide and diverse level of experience in other areas of law. This has uniquely prepared me to have a vast understanding of Tennessee trial and appellate procedures.

During my tenure as a Tennessee trial attorney, I have worked diligently to learn and apply Tennessee law, mandatory caselaw, *Tennessee Rules of Civil Procedure*, *Tennessee Rules of Evidence*, *Local Rules of Court* and *Chamber Rules* for each court I have appeared before. I believe having the knowledge of each is the key to successful and competent representation of my clients.

Finally, my legal experience includes matters in all trial level state courts and the court of appeals. I also have experience in federal court, including United States Bankruptcy Court for the Middle District of Tennessee. I believe that my extensive litigation experience has well prepared me to serve in the position of Circuit Court Judge for the 20<sup>th</sup> Judicial District for Davidson County. If selected, I will honorably serve with patience, impartiality and fairness, in accordance with Tennessee law.

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

During my practice, I have represented many clients in complex legal matters. Some of those went to trial and a vast number of those cases were settled due to diligent pretrial litigation. The following are just a few cases of note that indicate my experience while representing clients in complex litigation.

**Reed vs. Reed, Docket #18CV70** – This case involved a complex divorce action which went to trial. The parties were married for approximately twelve years. On the date of marriage, the parties each owned separate property. However, the husband's estate was valued much higher than that of the wife.

During this litigation, the wife asserted a claim against the husband's separate real property farm and business. She claimed that she had preserved and appreciated the value of the farm/business during the marriage. She was seeking a large division of the husband's presumptively separately owned farm, which he had obtained through a will prior to marriage.

Although the wife's attorney very skillfully introduced proof at trial of the wife's claims, I was able to successfully defend the husband's position through tracing of his separate assets. I was also able to prove the husband's case through an assertion that the increase in value of the real property was primarily due to market value increase, rather than specific efforts to increase the value by the wife. I was successful at trial through the qualification of an expert witness on behalf of the husband and through diligent research of at least fourteen bank accounts over a twelve-year period.

Ultimately, the husband was awarded the entirety of his separate real property, farm and business in the divorce, free and clear of any claims by the wife. The husband was also awarded a larger, pro rata, division of the newly acquired marital home, based upon evidence of tracing I submitted which came from his separate retirement account. This case was very difficult, tedious and complex.

**E vs. E (name omitted due to the nature of the case), Docket # 18X67** – This was an order of protection matter where I successfully prosecuted issues related to threats of homicide against my client. This matter went to trial twice on multiple separate instances of threat(s) of harm to my client. Through extensive introduction of evidence, testimony of the petitioner and cross examination of the respondent, I was able to prove that in fact there was an immediate and present danger of harm to my client on multiple occasions. My client prevailed in both trials. This was particularly memorable as I believe my client was afforded protection from the potential of domestic violence that could have resulted in her death. This is just one example of many orders of protection that I have litigated during my career as an attorney.

**Ferguson vs. M. Brown Construction, Inc., et al., Docket #6442**– This was a case involving complex defective construction issues and violations of the *Tennessee Consumer Protection Act*. I was successful in obtaining a judgment at trial against an unscrupulous contractor for fraudulent misrepresentation, breach of contract, defective construction and other related claims. At trial, through the entry of more than (100) one hundred exhibits, witness testimony and cross examination, I was able to prove that the contractor had made fraudulent misrepresentations of fact, which resulted in financial harm to my client. I was also able to prove violations of the *Tennessee Consumer Protection Act* that entitled my client to an award of both compensatory damages and double (punitive) damages, attorney's fees, discretionary costs and court costs. My client was therefore awarded over \$434,000.00 in damages and costs by the trial court.

**Odziana vs. Odziana, Docket #14D58** – This case involved retroactive modification of child support. My client alleged that he had overpaid child support for an extended period of time. The case involved other issues related to the parenting schedule and disagreements between the parties related to the upbringing of the children. Ultimately, the case went to trial before the Honorable Philip Smith and he agreed with my client's position in this matter. I was successful in proving that my client's child support obligation should be modified and that he had in fact

been overpaying support. My client was ultimately awarded a modification of child support, a retroactive modification of child support and his attorney's fees.

**Friedman v. Beautiful Home Services, et al., Docket #2025-CV-461** – This was a case involving breach of contract, defective construction, breach of implied warranty and violations of the *Tennessee Consumer Protection Act*. I was able to successfully prove that the contractor had engaged in unfair or deceptive acts, which caused monetary harm to my client. At trial, through the introduction of evidence, witness testimony and cross examination, I was able to prove that the contractor was in fact not licensed at the time the work was performed, that he had made false or misleading statements to my client, which resulted in injury to my client. The trial court agreed and awarded my client the full measure of his damages, including attorney's fees, discretionary costs and court costs.

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

I have a vast amount of experience in the criminal justice system, which adds to my diversity as a candidate for this judicial appointment. I previously served in various law enforcement capacities. I began my law enforcement career in 1988 and left law enforcement in 2003. During that time, I served as a state trooper, police officer, criminal investigator, narcotics investigator, tactical operations (S.W.A.T.) assistant team leader, supervisor, field training officer, trooper academy training instructor, traffic homicide investigator, traffic accident reconstructionist and other specialized capacities in law enforcement.

While serving in these various positions, I gained first-hand experience dealing with the day-to-day impact of domestic violence, child abuse, drug and alcohol abuse and the victim impact that results from each. This is knowledge that only comes with actual, hands-on experience. I believe this will assist me in identifying credible threats to victims, warning signs of inappropriate behavior and other such issues, which unfortunately is exhibited in matters the domestic courts all too often encounter. Those issues are commonly raised during order of protection hearings, divorce, child abuse and domestic relations matters, all of which the Third Circuit Court for Davidson County commonly encounters.

Further, while serving as a district attorney's criminal investigator, I was tasked with preparation of all major felony cases going to trial within two judicial districts. That included cases of severe child abuse, capital murder, murder, aggravated assault, robbery, burglary, sexual assaults, drug offenses and other felony cases. Once again, this translates into actual, hands-on experience that cannot be replicated in an academic or theoretical environment. I believe this experience is key, as I spent countless hours organizing a heavy caseload, preparing witnesses, including police officers, experts and others for trial. I also spent countless hours in court on each case I participated in preparing.

Finally, my law enforcement experience included a heavy emphasis over several assignments as a personnel supervisor. This began in 1991 when I was tasked with creating, organizing and forming a multi-jurisdictional drug taskforce. I was tasked with the selection of (7) seven agents



from various police agencies in the region and (1) one support staff member. My duties included the overall supervision and management of the taskforce. Since the taskforce was partially federally funded, I was also responsible for all compliance with audits, organization and operations, within the federal guidelines. I believe this experience has prepared me to efficiently manage the office for which I am seeking appointment. My supervision and training of personnel in other law enforcement capacities and in private business has been ongoing from 1991 to the present date.

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.

**Nashville School of Law** (2011 - 2015) - Doctor of Jurisprudence  
**Athens State University** (1989 -1990) - Bachelor of Science, Criminal Justice Administration  
**Jones Junior College** (1984 -1988) – Associate in Arts, Criminal Justice. (I took a break from this school temporarily due to work, but went back at night and completed my degree)

### **PERSONAL INFORMATION**

12. State your date of birth.

November 13, [REDACTED]

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

I have continuously lived in the State of Tennessee for fourteen years.

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

I have continuously lived in Davidson County for eleven years.

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

Davidson 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.

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.

One complaint was filed against me with the Tennessee Board of Professional Responsibility. File No. 67694-5-ES. The complaint was submitted by a former client, but it was dismissed after the Board reviewed my response and no disciplinary action was taken.

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, tax liens have been filed against me in the past (5) five years.

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

No, I have never filed for bankruptcy.

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.

Rushton v. Rodriguez, et al., Docket #9296, Justice Court, Jones County, Mississippi, 2023 – I own rental property in Mississippi. This was an eviction action I filed against persons that had unlawfully occupied a home I own. The Court entered an eviction order in my favor against the Defendants.

Rushton v. Couch Realty, et. al., Docket #CV-2014-000043, Lauderdale County, Alabama, 2014. I entered a sales agreement to sell my home. The buyer went into the home without my knowledge before closing and caused extensive damage, then failed to close on the home. The case was settled at mediation.

Rushton v. Rushton, Docket #14-085 -Maury County Chancery Court, Tennessee, 2014. This was a single divorce action, which spanned three counties. It was transferred to Maury County on 02/12/2014 from Marshall County, Tennessee. I was the Plaintiff in this case, and it was settled as an uncontested matter. Note: This same divorce was initially, incorrectly filed by my ex-wife in Williamson County Chancery. Date filed: 10/04/13; Docket Number 42543 – the case was dismissed for lack of jurisdiction. I subsequently refiled the divorce in Marshall County, Tennessee. Date filed: 01/09/2014; Docket Number 16-866 – the case was later transferred to Maury County by agreement of parties and settled thereafter in Maury County.

Jarrett v. Alexander, et. al., United States District Court, Middle District of Alabama, Docket #CIV A. 01-A-1519-N, 2001. This was a class action lawsuit I joined as a Plaintiff against the Director of the Department of Public Safety and State of Alabama, regarding unpaid overtime owed to state police officers. The case was ultimately dismissed under a sovereign immunity defense by the State of Alabama.

Bucher v. Rushton, Docket # CV2005-434 Lauderdale County, Alabama 2005. My company built a boat dock for the Plaintiff. Plaintiff's boat dock was damaged in a storm and the Plaintiff alleged my company was responsible for the damages. The trial court awarded a judgment to the Plaintiff in the amount of \$6,739.00, which was fully satisfied.

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.

Airplane Owners and Pilots Association – I am a private pilot and aircraft owner. This organization supports members and assists with aircraft related information. No offices held within this organization.

Archery Shooters Association – Qualified as professional competitive archer. No formal offices held while a member of this association.

National Field Archery Association – Qualified as professional competitive archer. No formal offices held while a member of this association.

USA Archery – Member of USA Archery – competitive archery association. No formal offices

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, I have never been a member of any organization that limited membership on the above basis nor otherwise to my knowledge.

### **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 – 2016 – present date. Serve as faculty member instructing continuing legal education on as requested basis. No offices held with this organization.

Nashville Bar Association – 2016 – present date. No offices held with this organization.

American Bar Association – 2016 – 2018. No offices held with this organization.

Tennessee Association of Criminal Defense Lawyers – 2016 – 2018. No offices held.

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.

- Super Lawyers, Rising Stars - 2021, 2022, 2023, 2024 and 2025.
- Ten Best Attorneys, Family Law Institute – 2019.
- Top 40, American Academy of Family Law Attorneys – 2019.
- Nominated Top 40, American Academy of Family Law Attorneys – 2018.
- Pro Bono Service Award, Tennessee Supreme Court – 2018.
- Avvo - Attorney - Client's Choice Award – 2017.

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 hold the office of Circuit Court Judge in extremely high regard and believe it should be held by an individual with the utmost of patience and impartiality. Further, my domestic relations experience in the Davidson Third Circuit well positions me as an applicant for this judicial position.

I have the honor of being an attorney, having children, grandchildren and having gone through a divorce. I can empathize with anyone finding themselves in a domestic relations matter. Not all in the judiciary have similar life experiences. This uniquely places me in a position of having both legal and personal experience that will allow me to fairly, patiently and impartially adjudicate domestic matters that other candidates may not be prepared to resolve.

It is my goal to efficiently adjudicate domestic matters and to assist litigants in moving on with their lives, without becoming bogged down in long term domestic ligation.

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 Third (division) Circuit Court for Davidson County, 20<sup>th</sup> Judicial District, is charged with handling domestic relations matters. The Court is located in downtown Nashville and serves Davidson County. The Court was created in 1913 by the General Assembly. There are currently eight Circuit Court divisions in the 20<sup>th</sup> Judicial District. The Third and Fourth Circuit Courts are exclusively charged with handling domestic relations matters, both of which have one judge.

I have practiced for many years before the Third Circuit Court. I am well acquainted with the local rules of court and procedures. My goal is to positively impact this Court through patient, diligent and consistent resolution of pending cases. I will strive to build upon the current systems to efficiently progress cases to resolution and seek available methodologies to minimize litigation costs. It will be an honor to serve as a fair, patient and consistent trier of fact, if appointed to this position.

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 if appointed to this position. It is of utmost importance that the law be followed, even if I disagree.

Over my years of practice, I encountered situations where litigants wished to pursue avenues that were not consistent with the law or legal precedence. In every such case, I took the position that it was my duty to educate the client regarding what the law was and how it should be properly applied. In a few of those cases, I encountered clients that were not satisfied with my position to uphold the law. In one or more of those situations, I found it to be prudent to withdraw my representation of the client. I did not take such matters lightly. But rather, I made every effort to provide the proper education regarding the issue at hand and only withdrew from the case as a last resort.

I have also encountered situations where a judge interjected their opinion, rather than applying the law. This occurred even in some circumstances where there was a bright-line rule or law that was clear and unambiguous. Those matters created extreme difficulty for one or more of the litigants. It also created chaos, controversy and confusion for all involved. In those instances, I took the appropriate action to appeal an improper ruling or to move to set aside an improper order. I then endeavored to present the proper application of the legal principle, in a respectful and professional manner.

### **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. Honorable Judge R.E. Lee Davies, Senior Judge,  | [REDACTED] |
| B. Honorable Judge David Veile, Circuit Court Judge, 21 <sup>st</sup> Judicial District, | [REDACTED] |
| C. Honorable Rhonda Vaughn, Cheatham Chancery Clerk & Master                             | [REDACTED] |
| D. Shannon Walker, Esq., Attorney & CPA,   | [REDACTED] |
| E. Dr. Mindy Thompson, D.D.S.,   | [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 20<sup>th</sup> Judicial District, Third Circuit Court for Davidson County, 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: September 4, 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.

Harold E. Rushtal

Type or Print Name

Harold E. Rushtal

Signature

September 4, 2025

Date

035306

BPR #

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

Tennessee Contractor's License

Number -59070.

Tennessee Private Investigators License

Number -7620.

Tennessee Private Investigation Company License

Number - 2009.

Alabama Peace Officers Standards & Training

Commission License Number -13331.