

Tennessee Trial Court Vacancy Commission

Application for Nomination to Judicial Office

1/17/23

Name: John Ray Wilks

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(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.

Martin Heller Potempa & Sheppard, PLLC

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

2014; #032784

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; #032784; 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).

Fourth Circuit Court for Davidson County, Tennessee - Judge Philip Smith - Law Clerk/Court Officer – 2014

Weatherly, McNally & Dixon – Of Counsel – 2014 – 2015

Martin Heller Potempa & Sheppard, PLLC – 2015-2021 Associate; 2021-present Partner

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.

My practice primarily focuses on family law, estate planning and trust administration. While family law was my primary focus for the first eight (8) years of practice, I gradually shifted a portion of my time to estate planning and trust administration. Family law constitutes 50% of my practice and estate planning/trust administration represents the remaining 50%. I have also spent time during my career in criminal law, real estate, probate, business litigation and personal injury.

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.

During law school, I had the privilege to work under the tutelage of the late Judge Philip E. Smith, Fourth Circuit Court of Davidson County, and domestic relations judge for Davidson County. For two years, I worked as his law clerk and court officer during the day and went to law school at night at Nashville School of Law. The experience was invaluable and instrumental to the development of my career. I did everything from swearing in witnesses to researching and drafting orders of the Court. From there, I joined Weatherly, McNally & Dixon wherein I worked as Of Counsel and built a book of business under the guidance of experienced and renowned attorneys. Subsequently, I joined Martin, Heller, Potempa & Sheppard, PLLC ("MHPS") wherein I practiced a variety of areas of law but predominantly family law and estate planning. I have handled numerous types of family law matters including divorce, child support, custody, alimony modification, relocation, termination of parental rights, adoption, prenuptial/postnuptial agreements, and grandparents' rights. MHPS is a mid-size firm that focuses on family related matters – divorce, custody, probate, estate planning, estate litigation, conservatorships. I would not be the attorney I am today without the skills, knowledge and support of my cherished partners and colleagues at MHPS.

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

While my practice has not focused on appellate work, I am proud of the results produced for clients addressing addiction and/or mental health issues, including clients coping with a spouse or parent experiencing those issues. It is a growing concern in domestic relations. Through court decisions or settlements, my clients are better, and more importantly, the children of the parties are in better situations.

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

None.

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.

University of Tennessee – Knoxville, 2006-2010, B.S. in Agricultural Economics and Business – Cum Laude – One of two students as a senior selected by professors/faculty to attend the Agriculture Future of America Leaders Conference in Kansas City, MO

Lincoln Memorial University Duncan School of Law, J.D. – August 2010- December 2011 – First Day Program

Nashville School of Law, J.D. – January 2011-December 2013

PERSONAL INFORMATION

12. State your date of birth.

11/24/

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

1987

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

2012-2013; 2014-present

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.

None.

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.

For a short period, I managed a title company for MHPS Title. The company ceased operations in July 2024. In 2023, an account that serviced the online filing of deeds, deeds of trust, and recording fees over drafted funds in the amount of \$222.27. It was immediately rectified upon notice and procedures were modified to account for this oversight. It was not until 2024 that the issue was brought to my attention by the Board, pursuant to the complaint filed by our bank a year after the fact. On February 19, 2025, the matter was dismissed by the Tennessee Board of Professional Responsibility. No client funds were used inappropriately

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.

No.

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.

Not applicable.

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 – 2014-present

- Co-Chair of Tennessee Bar Association Leadership Law (TBALL) – 2024-Present
- TBALL Steering Committee – 2022-Present
- TBALL – Class of 2020

TBA Young Lawyers Division

- Long Range Planning Committee
- Middle Tennessee Governor
- Secretary
- Wills for Heroes – Middle Division

Nashville Bar Association – Member – 2015-Present

- Nashville Bar Foundation Leadership Forum – Class of 2018

Roberston County Bar Association – Member – 2022-Present

Harry Phillips American Inn of Court – 2018-2019

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.

TBALL Co-Chair appointment by Ed Lanquist and Heidi Barcus

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)*

The challenge and responsibility of interpreting statutes and case law, ruling on evidentiary and procedural matters, finding the facts, and making critical decisions regarding real world family issues would be a rewarding and fulfilling task. Upholding the law and seeking judicial and economic efficiency for lawyers and litigants alike would be a priority of mine. My experience, disposition and values can help our community, and I feel strongly the domestic bar of Davidson County has faith in me to fulfill these duties as judge. My experience in family law has provided the decisiveness and empathy to understand the plight of divorcing parties while also protecting the sanctity of marriage and the best interests of our children.

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)*

Third Circuit Court of Davidson County, Tennessee – domestic relations court that primarily hears divorce, custody and child support matters. The Honorable Stephanie Williams serves the Fourth Circuit Court of Davidson County, Tennessee and also adjudicates the same matters. I am experienced, well-tempered, knowledgeable, young and motivated. The opportunity to serve the people of Davidson County would be an honor and a privilege. A divorce and/or custody battle is a stressful, costly endeavor for litigants. Efficiency would be a priority for me.

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 the family law realm, I struggle most with the current parental relocation statute. It is a complex issue, that is fact intensive. It should remain fact intensive with very similar factors. I have advocated successfully on both sides of this issue. In the past, what was good for the primary parent, was good for the child(ren). Then, it morphed to a reasonable purpose/vindictiveness standard with the burden of proof weighted against the alternate residential parent. It now hinges solely on the best interests of the child(ren), which inevitably requires a trial and typically a finding by the Court that less time with the alternate residential parent being harmful for the child(ren). A parent who has exercised the majority of parenting responsibilities and relocating for a reasonable purpose without vindictiveness should carry more weight than the law currently allows. That said, I respect and appreciate the law and how we arrived at the current statute, and I would uphold my duty to rule accordingly.

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. John Tarpley – Attorney – Lewis Thomason –	[REDACTED]
B. Jennifer Sheppard – Attorney – MHPS Law	[REDACTED]
C. Ed Lanquist – Attorney – Baker Donelson –	[REDACTED]
D. Kirk Swearingen – Vice President, Commercial, Farm Bureau of Tennessee –	[REDACTED]
E. Neil Murphy – School Teacher	[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 Third Circuit Court of 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: 9/12, 2025.

SRW
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 R. Wilks
Type or Print Name

SRW
Signature

9/12/25
Date

#032784
BPR #

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