

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

Name: Patrick Alan Wagner

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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.

Trial Attorney at Wagner & Weeks, PLLC (since 2017)

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

2017 - #036289

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 - October 10, 2017 – 036289 - active

Georgia -December 4, 2024 - 184901 - 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.

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).

Other than the practice of law, I have dedicated most of my free time to working with children through my non-profit, No Excuse - Chattanooga, LLC d/b/a Chattanooga Lacrosse Club. I founded, own, and run the business, and receive no compensation from it. I have dedicated thousands of hours since 2018 to the organization and children involved. We field select travel teams, as well as host coach and player clinics for over 200 Hamilton Co & surrounding area kids annually. I also serve as a co-founder and co-director of Team Tennessee Lacrosse, which fields elite-level lacrosse teams for the best players across the state of TN.

In addition to my law practice, I have served as head varsity high school lacrosse coach at the following schools:

Baylor School (2023 - interim)
Notre Dame High School (2020-2021)
Boyd Buchanan School (2019)
Signal Mountain High School (2018)
Evangelical Christian School (2016-2017) - 2x State Champions

Prior to law school and while in undergraduate school, I obtained my Tennessee real estate affiliate broker license, and worked as an affiliate broker with Keller Williams Realty. Before that, I built cars on night shift at the local Volkswagen plant. I also worked as a Walmart associate/cashier.

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.

Although I do draft real estate contracts on the side, I primarily operate as a trial attorney in Tennessee state and federal civil courts. The majority of my practice, with regard to litigation, concerns real estate-related issues of law (property/zoning/contract disputes and landlord-tenant law - 60%), commercial and consumer debtor/creditor law (including bankruptcy) (30%) and personal injury/workers compensation (10%). In my initial practice years, I focused more heavily on personal injury & workers compensation. I manage over a thousand civil cases on average in a given year for hundreds of clients between multiple courts, often on the same day. I am more than capable of handling high workloads and high levels of stress.

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 am, overwhelmingly, a civil trial attorney. To date, I have personally represented clients on over 8,000 civil cases in Tennessee. I have experience in General Sessions Court, Chancery Court, Circuit Court, TN Court of Appeals, U.S. Bankruptcy Court, U.S. District Court, Court of Workers' Compensation Claims, Social Security/Disability claims, and City of Chattanooga administrative hearings. I operate across several counties regularly, with most matters concentrated in Hamilton County. In addition, I have served on numerous occasions (by special appointment) as a civil trial judge in Hamilton County General Sessions Court. I have judicial campaign experience, having worked extensively on a successful campaign finance committee for Circuit Court from beginning to end.

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

I believe it worth mentioning that, unlike many practitioners who deal primarily attorney-to-attorney on litigation matters, I have extensive experience in dealing with *pro se* litigants as well. The candidates you select need to have experience in this area, in my opinion, as many of the parties who appear before the court will be unrepresented. *Pro se* litigants pose a unique challenge to judges and the court system, as they often are lacking in the procedural and substantive knowledge that an attorney possesses, and thus require, at times, a bit more patience and grace on the judge's part. Respect for the judiciary is more important now than arguably ever before in our nation's history, and we need more judges on the bench that the general public feels are understanding and cognisant of their struggles and needs. We are not traditional politicians, and should not act as such, but are uniquely positioned to bolster or undermine the public's confidence in our judicial system based on how we interact with the members of the public. We need active judges, not activist judges.

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

I've represented indigent clients on a *pro bono* basis, when possible, as well as volunteered for the local mock trial high school competitions. It is important, for me at least, to give back where and when I can. Early on in my career, I took on an indigent client on a consumer debt matter. The client was struggling with cancer and chemotherapy treatments, had gotten severely behind on his bills, and was having his credit negatively impacted in the process. I was able to help him work out a deal with his creditors, and avoid having several judgments entered against him - just to serve as an example.

Additionally, I completed the TBA Leadership Law ("TBALL") program this past year, and am a proud member of the TBALL class of 2024. Leadership Law is a program established by the Tennessee Bar Association to equip its participants with the vision, knowledge, and skills necessary to serve as leaders in the profession, and in the community as a whole. The program brought our class across the state for monthly, multi-day sessions, focused on honing leadership skills, building relationships among legal leaders across the state, and learning about the broad range of issues facing the legal profession. I, personally, felt that the program further solidified my desire to be a judge, and better equipped me with additional knowledge and tools to be a more effective jurist and leader. Many successful judicial appointment candidates, such as recently-appointed Justice Wagner, are TBALL alumni.

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

Not applicable - this is the first application for me at this level

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.

Millsaps College - 2010-2012 - Neuroscience & Cognitive Studies (transferred due to cost/expense)

University of Tennessee at Chattanooga - 2012-2014 - B.S. Biology (2014)

University of Memphis Cecil C. Humphreys School of Law - 2014-2017 - Juris Doctor (2017)

- Dean's Distinguished Service Award for 197 *pro bono* hours logged
- TN Supreme Court-issued limited practice law license (2017)

PERSONAL INFORMATION

12. State your date of birth.

██████████/1991

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

I was born in Tennessee and have lived in this State my entire life, apart from 4 semesters dorming at Millsaps College in Jackson, MS. My principal address has always been in TN.

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

33 years as principal residence in Hamilton County, TN, but 13 years if counting from Millsaps College dorming in MS.

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

Hamilton County, TN

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.

None. I obtained and reviewed my TN BPR report recently to obtain my Georgia license.

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.

No Excuse - Chattanooga, LLC (d/b/a Chattanooga Lacrosse Club) - 501(c)(3) childrens' non-profit org

- Founder, President, and Program Director (2018-present)

Team Tennessee Lacrosse

- Co-founder and current co-director (2024-present)

Tennessee GOP

Hamilton County Republican Party

Hamilton County Pachyderm Club

Hamilton County Young Republicans

24. Have you ever belonged to any organization, association, club or society which limits its membership to those of any particular race, religion, or gender? Do not include in your answer those organizations specifically formed for a religious purpose, such as churches or synagogues.

- If so, list such organizations and describe the basis of the membership limitation.
- If it is not your intention to resign from such organization(s) and withdraw from any participation in their activities should you be nominated and selected for the position for which you are applying, state your reasons.

Pi Kappa Alpha Fraternity - current alumnus, and it's a fraternity, so they did not accept women as members.

Boy Scouts of America (prior to including girls) – Eagle Scout of Troop 116

I am not currently active in either organization, though I do intend to involve myself in scouting (now co-ed) in the future as a scout leader.

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.

American Bar Association -2015-2017 (as a law student), 2024-present

Tennessee Bar Association - 2015-present
Chattanooga Bar Association - 2017-present
Brock-Cooper Chapter of American Inns of Court - 2024-present
Tennessee Trial Lawyers Association - 2017-2020
Georgia Bar Association - 2024-present
The Federalist Society - 2025-present
National Association of Drug Court Professionals - 2024-present
Phi Alpha Delta Legal Society - 2015-2017 active, current inactive alumnus
TBA Leadership Law Alumni - 2024-present
Rotaract of Chattanooga (2025-present)
Chattanooga Apartment Association - 2017-present
- Of Counsel, Board of Directors 2018-2022
Committee to Elect Judge Alex McVeagh for Circuit Court - campaign finance committee member - 2024

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.

TBA Leadership Law Graduate - Class of 2024

27. List any public office you have held or for which you have been a candidate or applicant. Include the date, the position, and whether the position was elective or appointive.

August 2024 - Hamilton County General Sessions Court Division 2 Judicial Applicant (filled via appointment by simple majority vote of the Hamilton County Commission).

ESSAYS/PERSONAL STATEMENTS

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

I was born and raised in this county, and as a result, feel a deep connection and love for this community. Since a young age, and continuing into my adult life, I have invested my time and effort into serving this community, both inside and outside of my profession. I've always harbored the strong desire to become a judge one day. That desire has continued to grow and evolve as I've progressed in my career. The courts serve as the foundation of our democracy, and I can think of no greater honor than the opportunity to support, advance, and facilitate that

continued, strong foundation via becoming a member of the judiciary. I possess the knowledge, temperament, and work ethic necessary to accomplish the very difficult work the court is faced with on a daily basis, with the mindset of “service above self.”

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)*

Four judges sit on the trial court divisions in this judicial district, which serves Hamilton County, Tennessee. I am intimately familiar with the area, the people, and the Bar. Hamilton County is so much more than just the Chattanooga city limits. Our courts here serve a wide variety of communities and demographics, from inner-city to countryside, and everything in between. This particular court hears a broad range of civil matters, including: protective orders, domestic disputes, child custody, divorce, contract disputes, personal injury/tort litigation, and appeals from General Sessions, juvenile, and municipal courts. The judge needs to be experienced in a wide range of civil litigation, and not just in one concentrated area. I bring that wide range of experience to the bench, along with my experience sitting as special judge. I have the time, energy, patience, and dedication to “hit the ground running.”

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. That is the oath you take as a judge. It is straightforward, in that regard, and I have actual, hands-on experience doing just this as a special judge. Your personal opinions, convictions, faith, prejudices, political views, etc. cannot come into play with regard to how or why you rule on a given matter. I sit, when asked, as special judge by appointment in General Sessions Court in Hamilton County. I’ve ruled on several matters where I, personally, may have desired to provide an outcome contrary to what the law requires (especially in eviction cases with highly sympathetic parties, such as single mothers, folks dying from cancers, disabled veterans, and so on), but nonetheless followed the letter of the law in issuing judgments, regardless of my personal feelings on a given matter. A given statute isn’t always easy to interpret, and judges aren’t perfect - that’s just reality, and it’s one of the reasons appeals courts exist. However, litigants should never, under any circumstance, be led to feel as if a presiding judge is issuing a ruling based on anything other than the substance of the law at issue, in light of the evidence presented. As a licensed attorney, I often have to represent clients on issues that I may find unappealing, extremely saddening, and so on, but I do my job, regardless, and to the best of my ability.

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. Michael St. Charles, Esq. - Senior Counsel @ Chambliss, Bahner & Stophel, P.C. - [REDACTED]
- B. Judge Christie Mahn Sell (Faires) - Hamilton County Gen. Sessions Court Div. 1 - [REDACTED]
- C. Fred Decosimo - Senior Advisor, Decosimo CPA Firm - [REDACTED]
- D. Vince Butler - PR Consultant @ The Johnson Group & Butler Consulting, Major Gifts & Sustainability Campaign Chair @ Coolidge National Medal of Honor Heritage Center - [REDACTED]
- E. Ken Smith - Chattanooga City Councilman & Hamilton Co. Commissioner Dist. 3 - [REDACTED]

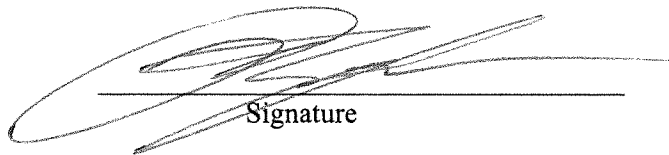
AFFIRMATION CONCERNING APPLICATION

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 Division 2 Circuit Court of the 11th 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: January 31, 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.

Patrick Wagner
Type or Print Name

[Signature]
Signature

01/31/2025
Date

036289
BPR #

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

Georgia - # 184901