

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

1/17/23

Name: David Clay Risner

Office Address: P.O. Box 594  
(including county) Kingston Springs, Cheatham County, TN 37082

Office Phone: (615) 952-2345 Facsimile: (615) 952-4496

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Home Address: [REDACTED]  
(including county) [REDACTED]

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.

Private Practice—Solo Practitioner (2000-present)

David C. Risner, Attorney at Law

P.O. Box 594

Kingston Springs, TN 37082

Office: (615) 952-2345

Facsimile: (615) 952-4496

Mobile: (615) 456-4908

[davidcrisner@bellsouth.net](mailto:davidcrisner@bellsouth.net)

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

Year Admitted: 1996

BPR No. 018205

3. List all states in which you have been licensed to practice law and include your bar number or identifying number for each state of admission. Indicate the date of licensure and whether the license is currently active. If not active, explain.

Tennessee, BPR No. 018205, 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).

1996-1998 Employed as an associate with Solomon & Associates, Nashville, TN (General Civil Practice).

1998-2000 Employed as an associate with Miller & Associates, Nashville, TN (General Civil Practice).

2000-Present Solo Practitioner (General Civil and Criminal Practice).

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.

15% Landlord/Tenant (Residential and Commercial).

10% Collections/Creditor's Rights.

15% Probate/Conservatorships/Estate Planning.

10% Family Law-Divorce/Modifications/Contempt.

10% Business Law-Contract Disputes and Small Business Formation.

10% Real Property Law-Contracts, Easements, Deeds, etc.

20% General Civil Matters and Litigation (Plaintiff and Defendant).

5% Juvenile.

5% Criminal Law.

100%

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.

Even though the percentages may have changed slightly over time, I have spent the majority of my legal career working as a general civil practitioner and litigator for both Plaintiffs and Defendants. These representations have resulted in hundreds of appearances in court for both un-contested and contested matters which resulted in numerous bench trials and a few jury trials over the years. I have experience with mediation and arbitration matters. I have also represented



criminal Defendants in both General Sessions and Criminal Circuit Court (some felonies, but mostly misdemeanor cases involving DUI, Shoplifting, Prostitution, Simple Possession, Simple Assault, etc.). I have been admitted to practice before all trial courts of Tennessee, the Tennessee Court of Appeals, and the Tennessee Supreme Court. I am also admitted to practice in the U.S. Bankruptcy Court for the Middle District of Tennessee and the U.S. District Court for the Middle District of Tennessee. I practice regularly in the Juvenile, General Sessions, Circuit, and Chancery Courts in the 23<sup>rd</sup> Judicial District, as well as in Davidson County and surrounding counties in middle TN. I have practiced in many local municipal courts and appeared before many local administrative bodies including Planning Commissions, Zoning Appeals Boards, Beer Boards, as well as many state administrative agencies such as the Tennessee Department of Children's Services, the Tennessee Claims Commission, and the Tennessee Human Rights Commission, just to name a few. I practiced municipal law for several years representing the Town of Kingson Springs in Cheatham County when needed. I also have experience in personal injury, premises liability, contract disputes, and business/real estate transactional work.

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

As a lawyer, no matter in what forum I have practiced, I have always attempted to treat the judiciary with respect such a tribunal deserves by being punctual, truthful, respectful, ethical, and most importantly, prepared. These same traits I expect from the bench, along with a temperament and patience that both counsel, as well as the parties, deserve when they are experiencing the stress of being in a courtroom, some for the first time in their lives. I can assure the Trial Court Vacancy Commission and Governor Lee that I will make every attempt to carry this approach forward if I am privileged to be nominated and appointed as the Judge for the newly created Division IV of the 23<sup>rd</sup> Judicial District.

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

I regularly donate time to pro bono work for qualifying individuals and several non-profits in Cheatham County on a yearly basis. I have also been appointed as a Guardian ad Litem or Attorney ad Litem in a several cases by former and currently sitting Judges in the 23<sup>rd</sup> Judicial District.

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.

1983-1988 Memphis State University—Bachelor of Science (Biology).

1989-1990 Memphis State University, Cecil C. Humphreys School of Law—Decided to return to my hometown of Nashville to work full-time and attend law school part-time.

1992-1996 Nashville School of Law, Doctor of Jurisprudence.

**PERSONAL INFORMATION**

12. State your date of birth.

[REDACTED]

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

I have primarily lived in the State of Tennessee from birth to present except for a few short intervals during childhood that required temporary travel to North Carolina and New York due to my Father's employment in the hospitality industry. TN has always been my state of domicile.

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

1998-present

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

Cheatham 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.

In 1998, I recall a formal complaint being filed with the TN Board of Professional Responsibility against me by a party Defendant in a collection matter to which I timely responded to in writing. The Complaint was summarily dismissed by the TNBPR without further investigation or hearing.

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.

LifeStory Church, 2021-present (Member).

TN Republican Party, (Member).

Cheatham County Republican Party, (Member).

Leadership Cheatham County, 2000 Graduate and Former President, Vice-President, Board of Trustee, (Current Alumni Review Committee Member).

Leadership Middle Tennessee, 2015 Graduate, (Current Candidate Selection Committee Member).

TN Achieves Mentor Program, 2021-present (Student Mentor).

Safe Haven of Cheatham County, Inc., 2022-present (Volunteer and Pro Bono Legal Services).

Cheatham County Chamber of Commerce 2003-present (Former Board Member).

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.

Cheatham County Bar Association (Member).  
Nashville Bar Association (Member).  
Tennessee Bar Association (Member).  
Legal Aid Society of Middle Tennessee (Pro Bono Clinic Volunteer).  
TN School Board Association, 2016-present (Member).  
TN Municipal Attorney's Association (Former Member).

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.

None.

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.

Industrial Development Board of Cheatham County, 2003-present (Current Chairman)-Nominated by County Mayor and Appointed by County Commission.

Cheatham County Board of Education, 6<sup>th</sup> District, 2016-present (Current Chairman)-Elected for a 4-year term in 2016 and 2020. I am currently an unopposed candidate on the ballot in the upcoming General Election in August 2024.

### **ESSAYS/PERSONAL STATEMENTS**

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

I am a person that seeks out positive and meaningful opportunities to serve my community, both personally and professionally. It was certainly an influential factor in my pursuit of a law degree in the first place. I have been fortunate to be presented with opportunities to serve my community and the general public in a positive way over the years. I, along with other members of the bench and bar, have long recognized the need for an additional Judge in the 23<sup>rd</sup> Judicial District. I view my potential appointment as the new Division IV Judge as a new "opportunity." Being able to provide the public with a forum for timely and impartial access to justice is the



“reward.” It would be an honor and a privilege to be a part of this exciting process as a continuation and ultimate fulfillment of a lifelong desire and willingness for public service.

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 23<sup>rd</sup> Judicial District is comprised of Cheatham, Dickson, Houston, Humphreys, and Stewart Counties, which are currently served by three judges in a dual capacity acting as either Judge or Chancellor. Even though the five counties referenced above are comprised of mostly rural communities, the caseloads over the past few years have increased making it more difficult to get timely access to the court for disposition of civil and criminal matters. The creation of the new Division IV will most definitely serve to alleviate some of this problem by providing parties and counsel with more frequent access to a court of record. I have spent most of my professional career as a general practitioner in this district, as well as surrounding counties in middle TN. My (27) plus years of legal experience would serve the district and the other judges well based upon my ability to preside over a wide variety of cases.

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. One of the primary ethical expectations and requirements of serving as a Judge is to be impartial, unbiased, and willing to apply or enforce the existing statute or rule of law as it applies to a particular set of facts, despite personal opinions or feelings to the contrary.

Generally speaking, I would say that I am a supporter of an individual's rights in regard to the ownership, use, and development of one's real property. Several years ago, in the absence of the City Attorney or in the case of a conflict, I served as the Assistant City Attorney for Municipal Codes Enforcement for the Town of Kingston Springs. In that capacity, I was in a position that required me to advocate for the enforcement of the Town's zoning ordinances and subdivision regulations despite not always agreeing with their intended purpose or resulting limitation on the use of the property for local property owners. Despite my own personal views, I zealously advocated for the Town's best legal interest and enforcement which was clearly supported by their applicable municipal code and the Tennessee Code Annotated.

#### 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. J. Rush Hicks, Esq. BPR No. 010477



B. Larry D. Craig, Esq. BPR No. 06464

Attorney at Law

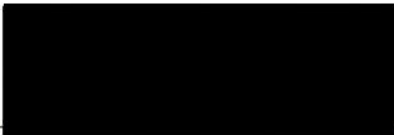


C. Aldo J. Stolte, Esq. BPR No. 015689

Stolte Law Firm, PLLC

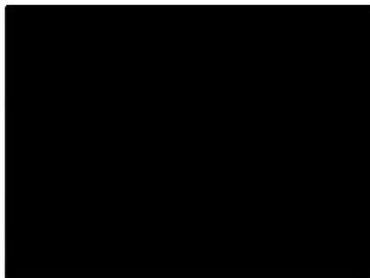
1230 17<sup>th</sup> Avenue South

Nashville, TN 37212

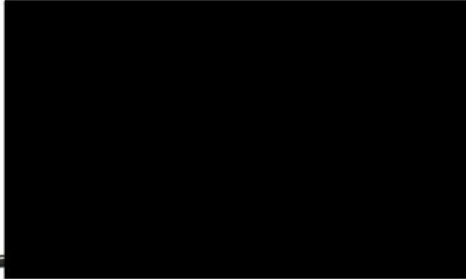


D. Dr. Cathy Beck

Cheatham County Director of Schools



E. Mr. Joey Allen




**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 23<sup>rd</sup> Judicial District of Tennessee, Division IV, 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: June 11, 2024.

  
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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.

David C. Risner

Type or Print Name

Signature

June 11, 2024

Date

018205

BPR #

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