

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

Name: Leonard Gonzalez Belmares. II

Office Address: 255 Main Street
(including county)

White Bluff, TN 37187 (Dickson County)

Office Phone: (615) 441-3581 Facsimile: (615) 441-1930

Email Address: [REDACTED]

Home Address: [REDACTED]
(including county)

[REDACTED]

Home Phone: Not Applicable Cellular Phone: [REDACTED]

INTRODUCTION

Tennessee Code Annotated section 17-4-301 et seq. charges the Trial Court Vacancy Commission with assisting the Governor and the People of Tennessee in finding and appointing the best qualified candidates for judicial offices in this State. Please consider the Commission's responsibility in answering the questions in this application questionnaire. For example, when a question asks you to "describe" certain things, please provide a description that contains relevant information about the subject of the question and, especially, that contains detailed information that demonstrates that you are qualified for the judicial office you seek. In order to properly evaluate your application, the Commission needs information about the range of your experience, the depth and breadth of your legal knowledge, and your personal traits such as integrity, fairness, and work habits.

This document is available in Microsoft Word format from the Administrative Office of the Courts (telephone 800-448-7970 or 615-741-2687; website www.tncourts.gov). The Commission requests that applicants obtain the Microsoft Word form and respond directly on the form. Respond in the box provided below each question. (The box will expand as you type in the document.) Review the separate instruction sheet prior to completing this document. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I am currently employed in the following capacities:

Interim Judge, White Bluff Municipal Court;

State Director & Judicial Liaison, Tennessee Alcohol Monitoring Systems; and

Founder & Attorney at Law, Belmares Law.

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

2012, Tennessee Board of Professional Responsibility number 031432.

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, see above.

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).

- Judge, White Bluff Municipal Court - March 2024 to Present and September 2014 to August 2022.
- State Director & Judicial Liaison, Tennessee Alcohol Monitoring Systems - December 2022 to present (Further description below).
- Founder & Attorney at Law, Belmares Law - October 2017 to present.
- Attorney at Law/Law Clerk, Baker Law Group - August 2012 to October 2017.

As State Director & Judicial Liaison with Tennessee Alcohol Monitoring Systems, I oversee the operations of a Contract Service Provider as defined by Tenn. Code Ann. § 55-10-426. My primary role is to assist courts in designing programs that meet statutory requirements for mandated use, to utilize electronic monitoring devices, and to maximize use of the same to ensure compliance with conditions of bail.

I began working at an early age in construction and farm work. My first formal jobs were in the restaurant business in 2000 through 2005. I also worked briefly on campus in the bookstore and as an orientation leader at Austin Peay State University. In the summer of 2005, I worked full time in masonry before becoming employed by Tennsco Corp in manufacturing. In 2006 I became employed by the United States Postal Service as a letter carrier in Nashville. I was later detailed as a supervisor, customer service before transferring to San Antonio upon applying to law school. I worked as a letter carrier and again held a detail assignment as a supervisor of customer service through the first year and a half of law school.

While completing my legal education, I served as a volunteer intern for Bexar County Criminal District Attorney's Office in San Antonio, Texas and the 23rd Judicial District Attorney General's Office in Charlotte, Tennessee. Also, I completed the Criminal Justice Clinic at St. Mary's University School of Law and handled several cases including a jury trial as a student.

6. Describe the nature of your present law practice, listing the major areas of law in which you practice and the percentage each constitutes of your total practice.

Currently, I limit the number of cases I accept due to my roles as Judge and State Director and Judicial Liaison. However, I still maintain a case load with litigation in various stages. My case load consists of approximately 85 percent criminal defense, five percent family law, and the remainder in various areas, including personal injury, business disputes, property disputes, and juvenile cases.

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.

Over the course of my career as an attorney, I have represented clients throughout the State of Tennessee in all three Grand Divisions. I have appeared in municipal courts, general sessions courts, juvenile courts, circuit courts, criminal courts, chancery courts, and probate courts. I have litigated a diversity of cases, including criminal jury trials, a civil jury trial, contested divorces, termination of parental rights, adoptions, dependency and neglect, actions to recover personal property, detainer warrants, collections, medical malpractice, and estate administration. I have handled countless motions and preliminary hearings in criminal matters.

I have conducted a few administrative hearings before the Tennessee Department of Safety including one appeal to the Davidson County Chancery Court that was remanded for hearing. I

have briefed and argued several cases before the Tennessee Court of Criminal Appeals and one case before the Tennessee Supreme Court. During and following court closures for COVID-19 I handled some commercial and residential real estate transactions.

Through my current role as State Director and Judicial Liaison, I have participated in drafting legislation including the Debbie and Marie Domestic Violence Prevention Act.

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

In 2017, I handled *State of Tennessee v. Wallace Brasel* in the Dickson County Circuit Court. The defendant was charged with First Degree Murder involving allegations that occurred when I was in junior high school and had been featured on the television show *Cold Justice*. After seven days of trial, which included 21 witnesses and 90 exhibits, a plea bargain was entered. This was one of the most challenging cases of my career. I had tried very few jury trials before being appointed to this matter. The volume of discovery and length of the investigation required countless hours and through preparation. Ultimately, I was able to obtain a probation plea for a client who was facing life in prison.

State of Tennessee v. Ronnie Ray Myatt, No. M2018-01466-CCA-R3-CD is another memorable case. This case was a challenge to the subject matter jurisdiction in a probation revocation case. The defendant was serving consecutive sentences, but the first sentences had expired before the probation violation warrant had been issued. In Dickson County, it had been common practice for all consecutive sentences to be combined into one probation sentence, thereby leading to much more lengthy incarceration. The Court of Criminal Appeals held that due to the expiration of the probation sentence there was no subject matter jurisdiction. This case showed me just because something has been done the same way for a long time doesn't mean it is done correctly.

In 2017, I handled *State of Tennessee v. Charlotte Lynn Frazier*, 558 S.W.3d 145 (Tenn. 2017), which was a conspiracy case involving 100 defendants. I argued a Motion to Suppress challenging the jurisdiction of a Circuit Court Judge to sign a search warrant to be executed outside of their elected judicial district. The motion was heard by Retired Judge Robert Burch, who granted the motion. It was then appealed to the Court of Criminal Appeals and the Supreme Court by the State of Tennessee. My co-counsel and I, due to the consolidation of cases, were successful in defending the trial court's ruling. This case is most memorable because, in the beginning, it was unpopular among members of the bar. I was even cautioned by an attorney the motion was frivolous. However, I have always believed there was a good faith basis for the motion, and I had a moral and ethical duty to leave no stone unturned. Following the ruling by the Supreme Court, the legislature amended the statute giving trial court judges statewide jurisdiction.

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

I have handled thousands of cases in my role as Municipal Court Judge in White Bluff, Tennessee. The court has concurrent General Sessions jurisdiction. I have heard city ordinance violations, bench trials concerning traffic matters and other misdemeanors, and preliminary hearings on a wide range of cases, including misdemeanors and felonies. Additionally, during my tenure, I have served through interchange in the Centerville Municipal Court, Fairview Municipal Court, Dickson Municipal Court, and Dickson County General Sessions Court. I was recently appointed by the White Bluff City Council as interim judge to fill a temporary vacancy due to illness of the elected judge.

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

I applied for a position as Tennessee Administrative Law Judge Supervisor in July 2022.

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.

St. Mary's University School of Law, San Antonio, Texas; August 2009-May 2012; Doctor of Jurisprudence; *Pro Bono* Service Certificate.

South Texas College of Law, Houston, Texas; 2011; no degree. I took one course as a transient student during an accelerated program.

Austin Peay State University, Clarksville, Tennessee; August 2002-May 2004 and 2006-May 2008; Bachelor of Science in Criminal Justice. I initially enrolled as a music major and left in 2004 to return home for family and financial reasons. I returned to Austin Peay in 2006 to finish my degree in the Criminal Justice, Homeland Security.

Nashville State Community College, Nashville, Tennessee; January-May 2008; no degree. I took general education courses as a transient student while enrolled at Austin Peay.

Middle Tennessee State University, Murfreesboro, Tennessee; January-May 2005; no degree. I completed one semester as a Music Business major but did not return after deciding to pursue a different career.

PERSONAL INFORMATION

12. State your date of birth.

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

I have lived in the State of Tennessee since 1988. I lived in Texas while attending law school, 2009-2012, however, I maintained a domicile in the State of Tennessee.
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14. How long have you lived continuously in the county where you are now living?

Since August 1, 2013.

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

Dickson 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.

I have not responded to any formal complaints filed with any supervising authority.

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.

Yes. I have had delinquent property tax accounts for some of the real property I own in Dickson and Humphreys counties. These were investment properties I had missed the payments on. Upon learning of the delinquencies, I paid those accounts in full, and the matters were resolved.

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.

Yes, I was a plaintiff in *Belmares v. Nicks*, Dickson County Chancery Court Docket Number 2018-CV-264, filed on August 14, 2018. This case involved a dispute over the maintenance and deterioration of a party wall. The case was dismissed after being rendered moot due to my wife and I purchasing the adjacent property and owning both sides of the wall.

I was a respondent in *State of Tennessee in its own behalf and for the use and benefit of White Bluff, Tennessee v. Delinquent Taxpayers*, Dickson County Chancery Court Docket Number 2014-CV-125, filed on April 1, 2024. This case involved delinquent taxes on investment properties as outlined in question 20 above.

I was a respondent in *County of Humphreys, Tennessee v. Delinquent Taxpayers 2012-2022*, Humphreys County Chancery Court Docket Number 2024-CV-54, filed on April 9, 2024. This

case involved delinquent taxes on investment properties as outlined in question 20 above.

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.

- Dickson County Republican Party, Chair, 2023-2024 (resigned upon being appointed judge).
- Houston County Republican Party
- Dickson County Historical Society
- Leadership Middle Tennessee, Class of 2019
- Tennessee Firearms Association, Life Member
- Nation Rife Association, Life Member
- White Bluff Lodge #676 Free and Accepted Masons of Tennessee – Junior Steward, 2021-2022, Chaplain-2019, Worshipful Master-2018, Junior Warden-2017, Senior Deacon-2016, and Senior Steward-2015.
- CASA of Dickson County (now CASA of the Highland Rim), Charter Board Member, 2015-2022.
- Friends of White Bluff, Charter Board Member, 2014-2023.
- Developmental Services of Dickson County, Board Member, 2021-2022.

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.

I am currently a member of the Free & Accepted Masons of Tennessee which is a fraternal organization that consist of male members. However, the Grand Lodge of Tennessee has bodies that are limited to female members and bodies that include both male and female members.

Although I am not actively involved, I am an alumnus of Kappa Sigma Fraternity, Mu-Tau Chapter and Phi Mu Alpha Sinfonia, Theta Tau chapter which are both college fraternities consisting solely of male members. However, they are a part of larger councils including organizations that are limited to female members and co-ed organizations.

I do not plan to resign from these organizations as I believe they do not violate rule 3.6 or any other Rule of Judicial Conduct.

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 General Sessions Judge's Conference, 2014-2022
- Tennessee Municipal Judge's Conference, 2014-2022
- Dickson County Bar Association, 2012-2024
- Tennessee Bar Association, 2017-2023 (noncontinuous)
- Tennessee Criminal Defense Lawyers Association, 2018-2022

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.

- St. Mary's University School of Law – GOLD Council 10 under 10 honoree for demonstrating extraordinary commitment to the law school, my community, and the legal profession, 2018.
- *Super Lawyers* Rising Star 2021, 2022, 2023.

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.

- March 2024 to present - Judge, White Bluff Municipal Court (appointed)
- October 2021 through May 2022 - Candidate, Circuit Court Judge, Part III, 23rd Judicial District (elected)
- September 2014 through August 2022 - Judge, White Bluff Municipal Court (elected)

ESSAYS/PERSONAL STATEMENTS

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

I believe my experience and personal attributes provide me with the skills to be successful in this position. Through my diverse practice, I have observed many judges, some good and some bad, and learned many lessons from each. I believe a judge's competency and demeanor reflect on the judiciary as a whole, and providing litigants with an opportunity to be heard is of

paramount importance. My experience demonstrates I can learn new areas of law and I have the work ethic to do the research required to get it right. My references will support the fact I have and will treat each and every person who enters my courtroom with dignity and respect. I can think of no better opportunity to serve the Great State of Tennessee and give back to the community than to serve as a Judge.

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 position I seek is one of four trial court judges in the 23rd judicial district, which serve Cheatham, Dickson, Houston, Humphreys, and Stewart counties. The cases include Circuit, Civil and Criminal, and Chancery, including Probate matters. The latest statistics show an approximate case load of 500 probate, 600 divorce, and 1000 other chancery matters. There are approximately 250 circuit civil and 5000 criminal cases. Most cases settle without a trial. However, approximately 400 chancery cases are disposed through bench trials, many of which are child support cases heard by a referee. Approximately 50 Circuit cases are tried per year.

If selected, I plan to visit each county on a more frequent rotation. I believe the increased frequency will facilitate more efficient resolution of more cases. As done in previous roles, I will adapt to challenges within the district and clearly outline my expectations by using scheduling and administrative orders.

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)*

Absolutely. The sole role of a judge is to uphold the law. The Framers of our Constitution designed a system of checks and balances premised on the separation of powers with the role of creating the law placed in the hands of an elected legislature, the role of implementing and enforcing the law delegated to the executive, and the obligation to interpret the law entrusted to the judiciary. Through this design our nation has flourished for over two centuries.

On the bench, I am often presented with cases where a defendant is charged with driving on suspended license and violation of the financial responsibility law. Many times, a defendant will work very hard to get their driver's license reinstated and will obtain insurance on their vehicle. However, Tenn. Code Ann. § 55-12-139(e)(2) prohibits the dismissal of a financial responsibility case, and a conviction leads to driver's license suspension. While I believe that the purpose of these laws is to ensure only licensed and insured drivers operate vehicles in the State of Tennessee, I do not understand how suspending the driver's license of someone who is now in compliance serves that purpose. Despite my views on this law, I follow the law as defined by statute. Additionally, I believe it is a judge's responsibility to ensure all defendants who enter a plea understand the consequences. Therefore, I inform all defendants of the

impending suspension notice before their plea is accepted.

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. Billy Miller, Retired Assistant District Attorney General; Home address:	[REDACTED]
B. Dixie Kerr, Court Clerk White Bluff Municipal Court;	[REDACTED]
C. W. Ray Crouch Jr., District Attorney General;	[REDACTED]
D. Jordan Osborn, Principal Ramsey, Thornton, Barrett Osborn, PLC;	[REDACTED]
E. Lisa Field, Retired Teacher, Home address:	[REDACTED]

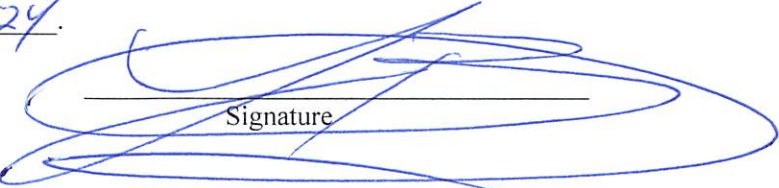
AFFIRMATION CONCERNING APPLICATION

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 [Court] Circuit Court Judge, 23rd 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: June 10, 2024.



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.

Leonard Gonzalez Belmares, II

Type or Print Name

Signature

June 10, 2024

Date

031432

BPR #

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