# **Supreme Court of Tennessee**

## Application for Tennessee Attorney General and Reporter

#### **CONTACT INFORMATION**

Name:	Jerome Cochran
Home Address:	
Office Address:	William Snodgrass Tower, 312 Rosa L. Parks Ave., Nashville, TN 37243
Home Phone:	Office Phone: 615-210-0202
Cell Phone:	
Email Address:	

### **PERSONAL INFORMATION**

1. Please provide the following:

Age: 50 Date of birth:	/19	71		nd state (or y) of birth:	Saigon,	Vietna	m
Social Security No.			TN Dı	river's Licen	se No.		
Tennessee Board of Professional Responsibility No.		02	0446	Year licens	ed to pra	ctice:	2000

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

All of my life except for time in law school

3. Are you registered to vote in Tennessee? If so, please give the county.

Yes	in	Sumner	County
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4. In what states have you lived since age 21? Indicate length of stay and approximate dates.

State	Length	From	То
Virginia	2.5 years	July 1997	December 1999

#### 5. Family Status:

a) If you are presently married, give the full name and present address of your spouse, the date and place of your marriage, and your spouse's occupation and place of employment.

Spouse's Name	Ac	ldress	Date of Marriage	Place of Marriage
Sandra Cochran		, Gallatin, TN 37066	/1995	Knoxville, TN
Occupation		Place of 1	Employment	
Registered Nurse		Kaiser I	Permanente	

b) If you have been married previously, state the name of your former spouse, the date and place of the marriage, and the date the marriage terminated. If the marriage was terminated by divorce, give the date and place of the divorce, the name and location of the court, and the present or last known address of your former spouse.

For	mer Spouse Name	's	Date of Marriage	Place Marr		Date Marriage Terminated
No	t Applicable	¢				
Divorced Spouse	Divorce Date	Place of Divorce	Court N Loca		Spo	use Address

c) If you have children, state the name, age, address, present occupation, and name and address of the employer of each, if applicable.

Name	Age	Address
		,
Occupation	<u>Employer Name</u>	Employer Address
	ba	
	G	

Name	Age	Address		
Occupation	<u>Employer Name</u>	Employer Address		

Name	Age	Address
Occupation	Employer Name	Employer Address

Name	Age	Address	
	<b>Employer Name</b>	Employer Address	

6. If you have served in the military, please state the branch of service, your service number, the dates of active duty, and your rank/rate at separation. If your discharge was other than honorable, please explain. Please list any decorations, honors, or achievements in connection with your military service.

Branch	Service Number	Dates	Rank/Rate			
Not Applicable						
Additional Information:						

7. If you are not physically and mentally able to perform the essential duties of Attorney General and Reporter without accommodations, please identify any accommodations you may need to perform the job.

None	
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8. If you have ever pleaded guilty to or been convicted of a violation of any law (other than a minor traffic offense), regulation, or ordinance, give the date, court, charge, and disposition. This question includes any convictions that have been expunged and any convictions for which you are on diversion.

Date	Court	Charge	Disposition
Not			
Applicable			

9. If, to your knowledge, you have ever been under federal, state, or local investigation for

possible violation of a criminal statute, give details.

Not Applicable

10. If a tax lien or other collection procedure has ever been instituted against you by any federal, state, or local authority, or any private party, give details.

Not	Ann	liool	hla
Not	App	nca	DIC

11. If you have not complied with all federal and state tax laws, including social security tax laws, please explain.

Not Applicable
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12. If you have ever been a party in any legal proceedings, give details, including the date, court, docket number, nature of proceedings, and resolution.

Not Applicable

13. Do you have a social media presence? If so, list the names of all social media platforms, networking sites, websites, gaming websites or blogs (i.e. Facebook, LinkedIn, Twitter, You Tube, etc.) you are currently a member of, administer, maintain, or post on regularly for personal or professional use. Additionally, next to the platform's name, enter the user/profile names or handles you use for each. Please DO **NOT** provide your passwords. If you do not have a social media presence, please enter N/A in the first space below.

Social Media Platform	User/profile name or handle
FaceBook	Jerome Cochan
Twitter	@cochranlaw
LinkedIn	Jerome Cochran

#### **EDUCATION**

14. List each college, law school, and other graduate school you have attended, including dates of attendance, degree awarded, and major. If you left before obtaining a degree, please give your reason for leaving.

School	Dates	Degree	Major
University of	08/90-05/95	Bachelor of Arts	Political Science
Tennessee-Knoxville			
Regent University	08/97-12/99	Juris Doctor	
School of Law			
Explanation (if needed)			

15. For your law school education only, please give your academic standing (class rank), whether you served on the staff of a legal publication such as the law review, including your position and responsibilities, and whether you were a member of a moot court or mock trial team. List other significant law school activities and any honors, awards, or other forms of recognition you received in law school.

67<sup>th</sup>. Member of Moot Court Team.

#### LEGAL BACKGROUND AND EXPERIENCE

16. If you are licensed to practice law in any state other than Tennessee, please give the year and whether your license is currently active. Please also list all courts to which you have been admitted, including administrative bodies that require special admission to practice.

State and Bar No.	Year	License Status
Not Applicable		
Court Admissions:		

17. If you have ever been denied admission to, suspended by, or placed on inactive status by the Bar of any state, please give dates, even if the action was temporary, and explain.

Not Applicable		

18. If you have been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, disciplinary committee, or other professional group, give details.

Not Applicable

19. 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 and participation in any committees you consider significant.

Group	Dates	Office	Dates
The Federalist Society	2018-present		
National Asian Pacific	2020-present		
American Bar			
Association			
Tennessee Association	2012-2015		
of Criminal Defense			
Lawyers			
Post-Conviction	4/2015-		
Oversight Commission	6/2015		
Committees:			

20. List honors, prizes, awards, or other forms of recognition that you have received since your graduation from law school that are directly related to legal accomplishments.

Not Applicable

21. If you have served as a judicial law clerk for a judge or as a staff attorney to a court, give the name of the judge or court and dates of service, and describe your experience.

Not Applicable

22. Indicate your present employment, and list any professional partners or other members if applicable.

Current Employment	Date Employed
Administrative Law Judge, Secretary of State's Office	7/2015
Partners or other members:	

23. Other than service as a judicial law clerk for a judge or as a staff attorney to a court, list and briefly describe your prior employment in the legal field since the completion of your legal education, and give the dates of such employment. If you have had any periods of unemployment in excess of six months since completion of your legal education, please describe what you did during those periods.

Jerome Cochran, Attorney-at-Law 07/2000-06/2015 Started my own general practice law firm in Elizabethton, Tennessee.

Klein and Associates 01/2000-05/2000 Employed as firm attorney focusing on probate and tax law.

24. Describe the nature of your present law practice; list the major areas of law in which you practice and the approximate percentage each constitutes of your total practice.

As an Administrative Law Judge, among the cases I preside over are tax appeal cases for the State Board of Equalization, TennCare pharmaceutical appeals, seizure hearings on behalf of the Department of Safety and Homeland Security, Individuals with Disabilities Education Act hearings, hearings for various state departments, commissions, and boards including but not limited to the Registry of Election Finance and Board of Nursing, and mediation services for these same departments and commissions.

25. List other areas of law in which you have practiced, and describe any other legal experience that you would like to bring to the attention of the Court.

I was a solo law practitioner for 15 years, I have represented clients in state, federal, and administrative proceedings. My areas of practice during my 15 years of practice included criminal defense, family law, probate law, administrative law, bankruptcy, juvenile law and corporate law. I further have experience in drafting of contracts, wills, and deeds.

26. If you have practiced in proceedings before administrative boards or commissions, state the

agencies and the approximate number of proceedings in which you appeared before each agency. Of that total, indicate in how many you appeared as sole counsel, how many as chief counsel, and how many as associate counsel.

Agency	Total	Sole Counsel	<b>Chief Counsel</b>	Assoc. Counsel
Department of	1	1		
Intellectual and				
Development				
Disabilities				
Board of	1	1		
Nursing				
Department of	15	15		
Safety and				
Homeland				
Security				

27. If you have handled matters that have been arbitrated or mediated, state the approximate number. Of that total, indicate in how many you were involved as sole counsel, how many as chief counsel, and how many as associate counsel.

Approx. Number	Sole Counsel	<b>Chief Counsel</b>	Assoc. Counsel
50	49		1

28. Please describe your trial court experience during the past ten years. Approximate the number of trial court matters in which you appeared. Of this total, state the number that was before a federal court, the number that was before a Tennessee court of record, and the number that was before a Tennessee court that was not of record (general sessions, municipal). State the approximate percentage of these matters that were criminal and the approximate percentage that were civil. Indicate in how many matters you were sole counsel, how many you were chief counsel, and how many you were associate counsel. Please indicate the approximate percentage of your cases that were tried to resolution, how many were dismissed upon pre-trial motion, and how many were settled prior to trial.

Since I was appointed Administrative Judge in July 2015 that my trial experience requested will only encompass 2012-2015.

Federal Court- I have had approximately 3 cases in the federal court during the 3-year period and served as sole counsel on all of them. All the cases were criminal in nature and were settled prior to trial.

Bankruptcy Court- I have had approximately thirty (30) bankruptcy cases during the 3-year period and I served as sole counsel for the debtors on all of them. Each resulted in successful discharge of debts for my clients.

Criminal Court- I have had approximately 75 cases in various criminal courts in the  $1^{st}$  and  $2^{nd}$  Judicial Districts and was the sole counsel on all of them. I would estimate that 90% were settled prior to trial and the remaining 10% were resolved upon pre-trial motion. I do not believe there was a jury trial during this period; however, I have had jury trials outside of the 10-year window.

Circuit Court and Chancery Court- I have had approximately one hundred twenty (120) cases in the Circuit Courts and Chancery Courts in the 1<sup>st</sup> and 2<sup>nd</sup> Judicial Districts and was sole counsel on all of them. I would estimate 30% of the cases were contested divorce and custody cases that resulted in a hearing. The remaining 70% were resolved by negotiated settlement, mediation, or default. I also had one (1) will contest that was settled prior to trial and 4 personal injury cases that was settled prior to trial. I estimated that twenty (20) probate cases during the period requested.

General Sessions Court- I have had approximately one hundred (100) cases in the General Sessions Courts of the 1<sup>st</sup> and 2<sup>nd</sup> Judicial Districts and was the sole counsel on all of them. The cases consisted of retained and appointed cases and I would estimate that 75% were settled prior to trial. The remaining 25% either went to trial or were preliminary hearings.

Juvenile Courts- I have had approximately twenty (20) cases in the Juvenile Courts of the  $1^{st}$  or  $2^{nd}$  Judicial Districts and was the the sole counsel on all of them. I would estimate 50% were resolved prior to trial and 50% went to trial. The trials were custody cases and dependent and neglect cases.

29. Please describe your appellate court experience. Approximate the number of matters in which you appeared as counsel of record in Tennessee appellate courts, the number in federal courts, and the number in other states. Give the approximate percentage that were criminal and the approximate percentage that were civil.

I estimate I have appeared in federal court seven (7) times with six (6) of them being criminal matters and one (1) civil matter.

I have filed one (1) matter in with the Tennessee Court of Appeals but the matter was not argued orally.

30. Please describe any other relevant legal experience, including transactional and other nonlitigation matters.

Being a sole practitioner with your own law practice in a rural town made you have to become a jack of all trades, I have experience in drafting wills, deeds, contracts, and setting up limited liability corporations.

31. Please describe your negotiation experience.

I have 15-years of negotiation experience in criminal and civil matters involving plea deals in criminal courts or settlements of personal injury matters, custody disputes, or other domestic matters. I have also had experience in negotiations in my time in the state legislature with negotiating legislation in order to obtain passage in committees and floor votes.

32. List any noteworthy cases you handled as an attorney before mediators, arbitrators, administrative agencies, trial courts, or appellate courts. As to each case, please : (1) give the date or period of the proceedings; (2) identify the court or agency; (3) summarize the substance of the case; and (4) explain why the case is significant.

Not Applicable

33. If you have served as a mediator, an arbitrator, or a judicial officer, please describe and include the dates, the courts or agencies involved, whether you were elected or appointed, and a description of your duties.

One of my duties as an Administrative Law Judge is to at times serve as a mediator in certain cases. I have served as a mediator in several Individuals with Disabilities Education Act matters:

M.H.—MEDIATION Docket No. 07.03-150808J 02/23/2018

W. J. C.-- MEDIATION Docket No. 07.03-159256J 07/19/2019

W.H.-- MEDIATION Docket No. 07.07-158030J 06/18/2019

34. If you have served as a mediator, an arbitrator, or a judicial officer, please list any noteworthy cases you handled in these capacities. As to each case: (1) give the date or period of the proceedings; (2) identify the court or agency; (3) summarize the substance of the case; and (4) explain why the case is significant.

Not Applicable

35. Describe the *pro bono* service you have given throughout your legal career, and describe activities in which you have been involved that demonstrate commitment to equal justice and equal access to justice.

I have provided several pro bono adoption services for families. As a former state legislator, I consistently opposed increase in court mandated filing fees or fees charged by clerk's offices post trial or plea due to believing that these increased fees would make it more difficult or impossible for poorer citizens to seek legal remedies if wronged and essentially shut to courthouse doors to them.

36. List any legal articles or books you have published.

Not Applicable

37. List any law school courses, CLE seminars, or other law-related courses that you have taught within the last five years.

Not Applicable

38. List any presentations you have made to civic groups on legal topics within the past five years.

Not Applicable

39. State any other information about your legal experience that may reflect positively or adversely on you or that you believe should be disclosed in connection with your application for Attorney General and Reporter.

Not Applicable

#### **NON-LEGAL/CIVIC INFORMATION**

40. Describe any occupation, business, or profession other than the practice of law in which you have ever been engaged. Please give details, including approximate dates.

Not Applicable

41. If your current income is derived from sources other than the practice of law, specify the other income sources and the approximate percentage of your total income each source represents.

My total income derives from my position as an Administrative Law Judge.

42. If you are now an officer, director, or major stockholder (5% or more) of any for-profit organization or you are otherwise engaged in the management of any for-profit enterprise, please give details, including the name and nature of the organization, your position, the nature of your duties, and your term of service. If you are selected as Attorney General and Reporter and you would consider continuation of your involvement, please address whether such continuation would be a conflict of interest.

Not Applicable

43. List all non-profit organizations other than legal professional associations to which you have belonged within the last ten years, including civic, charitable, religious, educational, social, and fraternal organizations. If you have held an office in any of these non-profit organizations, please give titles and approximate dates. If you have received any honors, prizes, awards, or other forms of recognition in connection with your participation in such non-profit organizations, please list.

Abortion Alternatives and Women's Center- Board Member and Legal Advisor 06/2002-06/2015

Shepherd's Inn Battered Women's Shelter- Board Member and Legal Advisor 03/2009-06/2015

Sycamore Shoals State Historical Association- Board Member and Treasurer 02/2010-06/2015

44. If you are selected for this position, how much of your current level of civic and community involvement do you feel that you could continue?

I no longer serve on the boards of any of the aforementioned organizations and currently

provide no services to non-profits due to my current position as an Administrative Law Judge within the Secretary of State's Office, which has oversight over many non-profit organizations statewide. I am reluctant to be involved with non-profit organizations since I hear property exemption cases for non-profit entities. As Attorney General, I would have more freedom for civic and community involvement but would still limit my involvement due to the office.

45. If you have ever belonged to an organization, association, club, or society which limits its membership to those of any particular race, religion, national origin, or gender, please list the organization and describe the basis of the membership limitation. Do not include organizations formed for a religious purpose, such as a church or synagogue. Please address whether you would withdraw from any such organization if you are selected as Attorney General and Reporter.

I have never belonged to this type of organization. I am currently member of the National Asian Pacific American Bar Association; however, that membership in this organization is open to anyone. I would withdraw from this organization if it was discovered that they limit membership based on a protected class.

46. If you have served in a fiduciary capacity other than as a lawyer representing clients, please describe.

I am currently the conservator of my great-aunt, who is 95-years old and has had a dementia diagnosis for the past 5 years. I have served as her conservator for approximately 1-year.

47. Please list any non-legal articles or books you have published.

Not	Ann	licable
1100	app.	neuore

#### MANAGEMENT AND GOVERNMENT EXPERIENCE

48. Describe your management philosophy and your views on delegation to subordinates.

My management philosophy is to select highly qualified people and give them as much freedom as possible to their job. I by nature am not a micromanager but obviously there must be some oversight since ultimately their performance reflects on the entire office. I set achievable goals and make sure all the staff understands their part in reaching the goals. I delegate duties and tasks based on their individual abilities and understand that ultimately I am accountable for their work. I would place an emphasis on recruiting and training any new staff as needed. It is also important to focus on retaining current staff as their experience will be invaluable to someone coming in from outside the office. I would also like to find ways to reward staff for excellent performances.

49. Describe any management experience you have had in the legal profession, such as managing attorneys, paralegals, and legal support staff. Approximate the number of persons over whom you had management responsibilities and indicate whether your experience included preparing and managing a budget.

As the sole practitioner in my own law firm, I oversaw the management of at least two (2) legal assistants at a given time. I would prepare employment tax forms for staff and handled the budgeting and taxes for my law office.

50. Describe any management experience you have had in federal, state, or local government. Approximate the number of persons over whom you had management responsibilities, and indicate whether your experience included preparing and managing a budget.

Not Applicable

51. Describe any other management experience you have had. Approximate the number of persons over whom you had management responsibilities, and indicate whether your experience included preparing and managing a budget.

During my political campaigns as State Representative, I would oversee a campaign team of four (4) to twelve (12) staff and volunteers. I would prepare and manage the campaign budget and prepare campaign disclosures for filing with the state.

52. List any judicial or non-judicial government offices you have held, and describe your experience. Include the date, the position, whether the position was elected or appointed, and whether your responsibilities included legal matters or policy matters. If you have been a candidate for government office but were not selected, please list this as well, including date, position, and whether the position was elected or appointed.

State Representative for the 4<sup>th</sup> Legislative District

Elected from 11/2002-11/2006 Served on House Judiciary Committee (2003-2006) \*Member of Criminal Practice Subcommittee \*Member of Constitutional Protections Subcommittee \*Member of Civil Practice Subcommittee Served on House Transportation Committee (2003-2004) Served on House Children and Family Affairs Committee (2005-2006) Served on House Ad-Hoc DUI Committee (2005-2006) Vice-Chairman Candidate for State Representative- 2008 Candidate for State Representative-2010 Interviewed by Governor Haslam for Circuit Court Judge, 1<sup>st</sup> Judicial District- 2014 Candidate for District Attorney General, 1<sup>st</sup> Judicial District- 2014

53. Other than as an elected or appointed official, please describe any experience you have had with the legislative or executive branches of government, federal, state, or local. Indicate whether your experience related to legal matters or policy matters.

Not Applicable

54. Describe any other government experience you have had. Please indicate whether any such experience involved legal matters or policy matters.

Not Applicable

55. State any other information about your management or government experience that may reflect positively or adversely on you or which you believe should be disclosed in connection with your application for Attorney General and Reporter.

Not Applicable

#### **PERSONAL PERSPECTIVE**

56. What are your reasons for seeking this position?

I am seeking this position because I believe that my judicial experience as well as my life experiences make me uniquely qualified to lead this office. As someone who has handled a wide variety of criminal and civil cases, I will have the understanding to assess the wide range of cases the Attorney General's Office deals with on a daily basis. Further, my experience as an Administrative Law Judge will benefit the Office in its administrative hearings. My past experience as a state legislator with my understanding of the legislative process and relationships with members of the General Assembly will benefit the office as it relates weighing in on proposed legislation or even budgetary matters affecting the office. I enjoy public service and would love the opportunity to serve the citizens of Tennessee as their Attorney General.

57. Describe your perception of the primary duties, responsibilities, characteristics, and qualifications for the position of Attorney General and Reporter. Describe which of these may be delegated in whole or in part to subordinates and which may not.

I believe the primary duty of the Attorney General as the state's chief lawyer and law enforcement officer is to protect the interests of the people of Tennessee whether it is by litigation in a court room or negotiation in a board room. The job of the Attorney General is to make sure the office knows that the people of Tennessee are our only client and their interests are the only priority. Specific duties of the Attorney General I believe are to supervise and ensure the office is run in an ethical and efficient fashion and that it is being a good steward of the taxpayer's money. The Attorney General must also make sure that its attorneys and staff are prepared for matters brought before a judge or judges by either filed briefs or oral hearings. I would have no issue in trusting and delegating the duties to attorneys in the office, however, I would expect them to keep me apprised of case developments that could reflect in a negative way on the state or the office.

I believe that the Attorney General should be someone who demonstrates leadership, but not afraid to listen to those around him and be open not only to new ideas but also ways to improve the office by use of technology.

Since the state Constitution and state statutes are silent on qualifications of the Attorney General, I believe the State Supreme Court since it has sole discretion in the selection of the Attorney General can set whatever qualifications it chooses. I think the Court should look at not only legal experience but the type of legal experience such as areas of law and type of practice an applicant comes from. I hope the Court would not just assume that one must be from a big city law firm or work for the Executive branch in order to be able to perform the job of Attorney General and recognize that those in small cities with small firms or even

solo practitioners are just as capable if not more to handle the duties of the Attorney General.

58. What is your view of the role of Attorney General and Reporter with respect to the executive branch, the legislative branch, and the judicial branch of state government?

The Attorney General must be independent from all the 3 branches in order to perform its duties to provide sound legal advice when called upon. While I understand that the Attorney General cannot be totally independent from the other branches since the executive and legislative control the office's budget and the Supreme Court appoints the Attorney General, the Attorney General cannot be afraid to challenge when necessary any act by a branch that could be in violation of state law.

59. If selected as Attorney General and Reporter, what is your estimate of the amount of time you will actually appear in court or oral arguments in appellate matters?

I would estimate not more than 10% of the time. It could be less or more once I am in the office and determine what the day to day schedule of the office requires of my time.

60. Describe life experiences, personal involvements, or talents that you have that you feel will be of assistance to the Tennessee Supreme Court in evaluating and understanding your candidacy for this position.

My life experiences I believe differ than most candidates in that having been born in Vietnam during the Vietnam War. My father was in the Air Force and met my mother in Vietnam, where they were married and I was born. Soon after my birth my father had my mother and me moved to upper East Tennessee while he remained in Vietnam to fulfill is commitment. While I owe everything to both my parents, I am truly inspired by mother. She arrived in a foreign country not knowing any English and moving in with a family she had never met. She would go on to teach herself English and eventually become a United States citizen. Both my parents worked hard and made sure I had everything I needed to be come the first member of my father's family to ever graduate high school. Later, I would be honored to be the first Asian American elected to the Tennessee State Attorney General.

As a sole practitioner in a law practice I started myself, I had a wide ranging law practice in various criminal and civil courts handling criminal defense, divorces, custody, probate, wills, bankruptcy, and other legal matters. For the last 7 years I have had been an Administrative Law Judge where I have presided over seizure hearings, TennCare pharmaceutical denial appeals, property tax appeals, and various state board hearings. I believe this experience has well prepared me to serve as State Attorney General.

I have been married to wife Sandy for nearly 27 years and we have 4 wonderful children. My children were and still are the focus of my personal involvement whether it be football practice, baseball practice, band competitions, bowling matches, swim meets, or dance recitals.

61. 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 appointment for the office of Tennessee Attorney General and Reporter, and, if appointed, I agree to serve in that office. If, between the time this application is filed and the time the Court makes its final selection, there are any changes that occur in the accuracy of the information provided here, I agree to file a written notification advising the Court of the specific changes and the reasons therefore.

I understand that the information provided in this application shall be open to inspection upon filing with the Administrative Office of the Courts and that the Administrative Office of the Courts may publicize the names of persons who apply for the position of Attorney General and Reporter.

I knowingly, willingly, and without reservation waive any right or privilege of confidentiality relative to any background checks that may be performed, including, but not limited to, the Tennessee Bureau of Investigation criminal and civil background investigation, including any check of financial or credit information, conducted for the purpose of review by the Tennessee Supreme Court. I also specifically waive any rights or privileges of confidentiality otherwise conferred in relation to checks of the Board of Professional Responsibility, Board of Judicial Conduct, Board of Law Examiners, or similar entity.

Dated: <u>July 25</u>, \_\_\_\_\_, 2022.

<u>/s/ Jerome Cochran</u> Signature

Return your completed application to: Ceesha Lofton Administrative Office of the Courts, Suite 600 511 Union Street Nashville, Tennessee 37219