

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

Name: Kathryn Strong

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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.

I am currently employed with the Sumner County Government as the Circuit Court Clerk for Sumner County. I was elected to this position in 2014, 2018 and 2022.

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

I received my license to practice law in 2007. My bar number is 026620.

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.

I am not licensed in any other state.

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).

While attending and upon completion of law school in 2007, I was employed with Smith.Sholar.Milliken law office. While Smith.Sholar.Milliken was primarily a real estate firm, I handled all of their non-real estate legal matters that included intellectual property cases, probate, estate planning and elder law matters. Upon leaving Smith.Sholar.Milliken in 2010 to open my own firm, Strong Law Group, the partners at SSM were supportive and gracious in that they divested themselves of any and all interest in the non-real estate legal matters and allowed those clients to transition from their firm to mine. We continued a great relationship from that point forward sending referrals to each other for our specified areas of law.

From 2010 – 2014, I engaged in private practice wherein I handled a variety of cases but my practice mostly consisted of elder law, probate, estate planning, intellectual property and family law. I also handled general sessions criminal cases as well as the occasional real property,

personal injury or juvenile case.

In 2014, I ran for the office of the Circuit Court Clerk. Upon being elected, I closed my law practice although I have maintained my law license and continue to handle intellectual property filings for a few clients as well as Will preparation from time to time. Since becoming Circuit Court Clerk, I have experienced the court system from a completely different viewpoint and have gained vast experience in Circuit, Criminal, General Sessions and Juvenile courts. As Clerk, I manage a staff of approximately 30 employees maintaining the records of the court. I have worked to bring more technology and efficiency to the office. Since being elected, I have digitized many of our files and granted online access to those files to the general public as well as the judiciary and bar. I manage a budget of over \$2,000,000 and work with the county commission on the budget as well as various issues concerning my office. I have worked the past 4 years on assisting the county with the design and build of a new judicial center. I worked with the consultants, architects, construction team, judges and other stakeholders to ensure that the building will meet the needs of our judicial system now and for many years to come. I assist many attorneys when they encounter unique legal situations with which they are unsure on how to proceed with court filings. I assist numerous *pro se* litigants to ensure they have equal access to the justice system. Since being elected, I created a website that provides dockets, forms, juror matters and other useful information to litigants and attorneys. I have also created an app that conveys useful court information as well as provides a notification system for attorneys while they are in the courthouse that lets them know when their case is ready to be heard. This will not be available until we move into the new courthouse. I attend most court sessions for Circuit Court. I have been appointed Special Master by Judge Joe Thompson in Circuit Court. In 2020, I helped the judges adopt the court plan for the 18th Judicial District for re-opening the courts with all necessary protocols as prescribed by the Tennessee Supreme Court. I adopted a plan for the clerk's office that allowed us to continue to serve the public while keeping ourselves and the public safe. I am currently developing a plan to present to the Sumner County Records Commission that will reduce our use of paper in the court system. I am also in the final stages of developing our e-filing system for civil courts.

As an employer, I have drafted personnel policies for my office, dealt with FMLA issues, hired and fired employees, worked through conflict within the office among the employees, created leadership and supervisory positions, trained employees on how to be leaders and supervisors, developed an internal controls policy to limit the opportunity for fraud, worked with auditors, partnered with other public officials and department heads on getting the best possible salaries for our employees and improving their working environments so as to reduce turnover. I also recently completed a 12-week in-depth course on leadership which focused on leading people through change and conflict as well as communication skills as a leader.

I am also the jury coordinator for the 18th Judicial District which is appointed by all three state court judges. As the jury coordinator, the judges have given me the responsibility to excuse and postpone jurors, and to develop an efficient system for calling jurors to service. This system has improved drastically since I have been in office. Instead of requiring jurors to make an initial appearance, I created a system that allows jurors to sign up or request to be excused from jury service online which saves the juror time and saves the county money. In addition to creating our jury pool each month, I am responsible for getting an adequate number of jurors to court for

each jury trial, seeing that they are properly tended to during trials, and ensuring that they are paid for their jury service. I am also responsible for establishing a grand jury pool every three months.

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.

Since being elected Circuit Court Clerk in 2014, I have worked with Circuit Court (civil and criminal, General Sessions Court (civil and criminal) and Juvenile Court. While my time practicing law is currently limited, I do still maintain a few intellectual property clients for which I file the maintenance trademark paperwork with the United States Patent and Trademark Office, as well as drafting the occasional Will. I will also, on rare occasions, handle a probate estate. My practice is limited by what the law permits, as well as time available outside of my job responsibilities.

My time with the clerk's office and the Tennessee State Clerk's Association, has afforded me the opportunity to research laws and cases that affect court filings and processes, document management, jury issues, expungements, sentencing guidelines and issues, roles and responsibilities of the clerks of court, disposal of documents and evidence, and many other issues that are presented by my staff, courts, attorneys and clerk's association. I assist with drafting legislation, lobby against bills that negatively affect the judicial system and for bills that improve the court system. I also assist attorneys with filing processes and questions as well as prepare cases for appeal. I attend court sessions most days, and develop processes within the clerk's offices that create a more accessible and efficient judicial system.

Additionally, as Circuit Court Clerk, I have participated in approximately 75 jury trials including pre-trial conferences that have dealt with complex and difficult questions of both civil and criminal law. I frequently have the opportunity to assist the judges with jury instructions and verdict forms while also performing my duties as jury coordinator and courtroom clerk. I have the opportunity to observe jury trials (as well as bench trials) from pre-trial motions to post-verdict motions and document for the record the rulings that are issued throughout the trials. I was also in charge of the organization for jury selection in Knox County and the arrangements for sequestration of the jury in the State of Tennessee v. Michael Cummins, which was to be a murder trial with 8 victims.

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.

While in private practice, my focus consisted of intellectual property (30%), estate planning, elder law and probate (30%), family law (20%), criminal law (10%), juvenile and other miscellaneous cases (10%). Through my intellectual property cases, I had the opportunity to appear before the United States Patent and Trademark Office for filings, disputes and other

actions on behalf of trademark and copyright clients. I filed numerous trademark and copyright applications for clients, as well as maintenance documents. I have also drafted licensing agreements, business agreements including partnership agreements, LLC paperwork, employment agreements and other business documentation. I helped businesses analyze potential names and logos to determine whether they would potentially violate anyone else's intellectual property rights as well as whether their name or mark would be acceptable to the state trademark office and/or the United States Patent and Trademark Office.

The remaining areas of my practice mostly required appearances in Circuit Court, General Sessions Court and Juvenile Court in Sumner, Davidson, Wilson and Robertson Counties. I have represented clients in General Sessions Court in matters of theft, domestic assault, DUIs, other misdemeanor and felony offenses as well as in civil matters involving contract disputes, evictions, and debt collection disputes. In Circuit and Juvenile court, I have represented clients in divorce actions both contested and uncontested. I have represented clients in post-divorce matters involving child custody and child support issues, termination of parental rights cases, dependent and neglect cases and delinquent matters. I represented a couple of personal injury clients in minor actions. I also represented a client in an HOA dispute in Chancery court that involved successfully defending a Motion for Summary Judgment. I have participated in depositions and mediations with clients.

In my estate planning, elder law and probate practice, I helped individuals and families plan for their future as well as their death. I helped families make difficult decisions in furtherance of the goal of avoiding conflict within the family upon their death. I assisted families that did not have the resources to pay for long-term care facilities qualify for TennCare so that they were able to receive the best care available to them at the end of their life. I helped connect families to resources such as hospice, in-home care assistance, assisted living care, social security benefits, churches and other community assistance that assist the elderly. Upon death, I helped families navigate the probate process by filing all necessary documents to file for probate and administer the estate. That work included full probate estates, small estates and Petitions for Muniment of Title. I also handled conservatorship actions. On occasion, I have been appointed as trustee of an estate and conservator in a conservatorship action. I often appeared in Chancery Court in Sumner and Davidson County for probate matters and litigated a will contest case. I have drafted numerous wills, revocable trusts, irrevocable trusts, life estates, quitclaim deeds, and other estate planning documents necessary to effectuate an estate plan.

While my appellate practice was minimal, I did have the opportunity to file appeals from time to time and argued a Termination of Parental Rights case before the Court of Appeals.

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

I have represented many notable clients through the US Patent and Trademark Office and had to fight against some notable companies for the rights of clients to use names and/or images. I have filed trademarks and/or copyrights for Dave Ramsey, The Stage, Allied Seed, Tennessee

Farmers' Cooperative, and many others across the country. I also had the opportunity to defend a client against Apple, Inc. for the right to use the term "Apple" in their business name.

In juvenile court, I argued in favor of my client's first amendment right to create a GoFundMe site in order to raise money for his legal expenses and gain visitation rights to his child.

In the Court of Appeals, I argued against the termination of my client's parental rights, the mother, and against the paternal grandparents becoming the adoptive parents. The father voluntarily surrendered his rights and it was clear that his parents were going to allow him to be a part of the child's life, despite his poor choices, while terminating the mother's parental rights. My client did not prevail but it provided an opportunity to present an interesting perspective to the court at the trial court level as well as the court of appeals.

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

My entire career as an adult has been in the legal field. While in college, I began working for an attorney in Murfreesboro as a paralegal, and I have worked in the legal field since that time. I have worked for large firms and sole practitioners in many different areas of the law. While working as a paralegal in Murfreesboro, I had the opportunity to assist the attorney on the trial case and subsequent appeal of Cliburn v. Bergeron, M2002-01386-COA-R3-CV, which involved complicated UCCJEA issues. I had the opportunity to do a significant amount of research on these issues and worked closely with the attorney and clients. This case ended up being significant enough that we studied it while I was in law school several years later. Having been a paralegal, attorney and the Circuit Court Clerk, I believe that my experience spans almost all aspects of the legal field, with the exception of Judge.

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

Not applicable

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.

Belmont University – 1997 – 1998 – Transferred schools due to changing majors (began as a music business major)

Middle Tennessee State University – 1998 – 2002 – graduated with a Bachelor of Science with a major in Political Science, minor in Paralegal Studies

Technical College of the Lowcountry – 1999 – Took several paralegal classes while living with my sister in South Carolina and helping her with her newborn twins

Nashville School of Law – 2003 – 2007 – Graduated with a Juris Doctorate

PERSONAL INFORMATION

12. State your date of birth.

1979

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

With the exception of a year in 1999 when I moved to South Carolina to live with my sister and help her with newborn twins while her husband was deployed with the Marine Corps, I have lived in the State of Tennessee since 1980.

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

I have lived in Sumner County continuously since 2000. The only time periods for which I did not live in Sumner County since 1980 was for college and the year I lived with my sister in South Carolina.

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

Sumner

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 responded to one complaint filed in 2013. The Complaint was dismissed by the Board of Professional Responsibility.

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.

United Way of Sumner County - Current Allocation Member and Executive Allocation Board Member

Grace Place – Board Member from 2018 - 2023

Gallatin Rotary Club – Member since 2008; Secretary 2011-2013; Past-President 2012-2013

Sumner County Republican Party

Sumner County Republican Women

Tennessee Achieves Mentor

New Sumner County Courthouse Steering Committee

NACo High Performance Professional Development Academy

Northfield Church – Member, Bible Study Leader, Middle School Leader

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.

Sumner County Bar Association – Member since 2008; President (2022-2023), Vice-President (2021-2022), Treasurer (2020 – 2021), Secretary (2019 – 2020)

Tennessee State Court Clerk’s Association – Member since 2014. I have served on multiple committees since 2014 including the legislative committee, Judge/Clerk committee, and clerk manual committee. The legislative committee responsibilities involve working on legislation that the association would like to get passed. It also involves contacting legislators to lobby against legislation that we believe negatively impacts the court system.

County Official Association of Tennessee – Member since 2014. Served on the Board of Directors in 2019.

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

Received a Certified Public Administrator Certification in 2017

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.

Sumner County Circuit Court Clerk – Elected and took office on September 1, 2014. Re-elected in 2018. Re-elected in 2022.

ESSAYS/PERSONAL STATEMENTS

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

I am seeking this position because I know that my knowledge, skills, leadership, compassion, and discernment will serve the legal system and community of Sumner County well. My path has always been guided by opportunities, which have possessed both reasonable availability and a deep sense of calling. In 2013, despite being satisfied in private practice, I saw an opportunity when our Circuit Court Clerk retired. For me, this was an inspiring chance to use my knowledge and experience to lead the office through some much-needed technological advances as well as achieve much-needed efficiency improvements.

Now this judicial opportunity presents another inspiring moment in which I would be able to impact the legal community and the citizens of Sumner County in significant ways, not just through judicial decisions, but through continuing to implement and utilize technology in the courtroom, leadership in the courts and community, and management within the court system. I desire to serve my community in a way that helps to keep the community safe, impacts lives positively, and helps create a community where my children will want to raise family.

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 judgeship sought is a Circuit Court Judge hearing both civil and criminal cases. The 18th Judicial District is a single-county, judicial district with 3 state court judges. Currently, one judge hears criminal, one hears civil and the third is a Chancellor hearing civil and probate matters. I have worked with our current state court judges for almost 10 years and have an excellent relationship with each of them. I believe this would allow for an easy transition from court clerk to judge.

Sumner County has a population of approximately 205,000 and is exceptionally diverse economically, racially and geographically. My selection would impact the court in a significant way because I bring unique experience and perspective to the position as well as a female voice to our all-male state court. My career path has given me the ability to examine the court system and cases from all angles. My pathway has not been a traditional one, but it will be a unique, powerful and positive asset to our court system.

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)*

I believe that one of the most challenging duties before any judge is the requirement to rule in cases in which powerful and personal beliefs, on the part of the judge, are involved. That being said, I sincerely believe that a judge's duty is not to legislate, but to interpret and uphold all laws, especially those with which the judge has substantive disagreement. In life, we are exposed to many different types of people, with wide-ranging thoughts, perspectives, and life experience. I respect that some lawmakers have differing viewpoints and pass laws that they believe are best for our state and country. My sacred duty as a judge will be to uphold the laws, have empathy for those negatively impacted, and work to change laws that I believe do not impact our community in a positive way.

Personally, I have had the opportunity to observe great judges that have faced this conundrum and greatly respected their ability to rule in a way with which they didn't agree, but still upheld the law. In my law practice, I had to advise clients to follow judicial rulings that I disagreed with in regards to visitation and/or contact with their children in termination cases even though I

firmly believed that the changes made by my client would allow them to have a good relationship with their child. I had to respect the judge's ruling and advise my client accordingly.

At the end of the day, lawmakers make law – judges interpret and uphold.

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. Honorable Judge Joe Thompson – Circuit Court Judge – [REDACTED] Gallatin, TN 37066, [REDACTED] 615-452-6771 [REDACTED] (cell)
B. Representative William Lamberth – State Representative, House Majority Leader and Attorney – 425 Rep. John Lewis Way N., Suite 602 Cordell Hull Bldg., Nashville, TN 37243 – [REDACTED] 615-741-1980 (office) [REDACTED]
C. Senator Ferrell Haile – State Senator, Senator Pro Tempore and Retired Pharmacist – 425 Rep. John Lewis Way N., Suite 708 Cordell Hull Bldg., Nashville, TN 37243 – haileforsenate@gmail.com - 615-741-1999 (office) [REDACTED]
D. Stephen Smith – Deputy Commissioner and Director of TennCare and Attorney – [REDACTED] Nashville, TN 37243 – [REDACTED] 1-800-342-3145 (office) [REDACTED]
E. Toby Ellis – Sumner County Road Superintendent – [REDACTED] Gallatin, TN 37066, [REDACTED] 615-452-2632 (office) [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 18th Judicial District Circuit Court 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: April 15, 2024.

Kathryn Strong
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.

Kathryn Strong
Type or Print Name

Kathryn Strong
Signature

April 15, 2024
Date

026620
BPR #

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