

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

Name: Michael Thomas Begley

Office Address: Tennessee Secretary of State
 (including county) Administrative Procedure Division
 312 Rosa Parks Ave., 6th Floor, Snodgrass Tower
 Davidson County
 Nashville, TN 37243-1102

Office Phone: 615-741-7008 Facsimile: not available/no longer used

Email Address: [REDACTED] (current); [REDACTED]

Home Address: [REDACTED]
 (including county) Hendersonville, TN 37075

Home Phone: [REDACTED] 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 currently serve as an Administrative Judge in the Administrative Procedures Division of the Office of the Tennessee Secretary of State.

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

I was licensed in 2007. My BPR Number is 025888.

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 licensed to practice law only in Tennessee. My license is active, and my bar number is 025888.

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).

Office of the Tennessee Secretary of State, Administrative Procedures Division Administrative Judge (2014-present)	Nashville, TN
Department of Healthcare Finance and Administration, Division of TennCare HCFA Administrative Judge Supervisor (2014)	Nashville, TN
Tennessee Department of Transportation Central Office Statewide Employment Law Counsel (2013-2014)	Nashville, TN
Department of Healthcare Finance and Administration, Division of TennCare Managing Attorney (2007-2013)	Nashville, TN

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.

As an Administrative Judge, I do not currently practice law. While not exhaustive, the following information explains the types of cases and legal issues that I preside over in a given year.

As a central panel of Administrative Judges, we hear approximately 300 different case types for more than 70 State of Tennessee governmental agencies, as well as approximately 5-10 local municipalities and state universities. Case types over which I preside include, but are not limited to, the following:

Health Law, Quasi-Criminal (Asset Forfeiture), Labor/Employment, Abuse Registry, Property, Environmental, Education, Financial Institutions, Elections, Benefits/Retirement, Licensing Actions for all Professional Licenses in the State of TN (e.g., Health-Related Boards, Boards and Commissions of Commerce and Insurance, and Board of Appeals for Tennessee state preferred service employees).

Of these case types, if they proceed to trial, approximately 80% are bench trials and 20% are cases in which I sit with a Board, Commission, or Agency, very similar to the way in which a trial court judge sits with a jury.

I author written dispositive opinions in approximately 80% of all case types. I also issue written decisions on all types of motions including but not limited to the following:

- Motion for Protective Order
- Motion to Compel Depositions, Expert Disclosures, Responses to Interrogatories and Productions of Documents
- Motion to Deem Facts Admitted
- Motion to Approve Service of Process
- Motion to Dismiss based on standing, summary judgement, failure to state a claim, and mootness
- Motion to Quash
- Motion in Limine
- Petition for Reconsideration or Motion to Alter or Amend
- Motion for Interlocutory Appeal

Approximately 65% of the cases over which I preside are civil and 35% are quasi-criminal.

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.

My decisions are appealable to many different forums, including the following:

Directly to United States Federal District Court; Tennessee Trial Courts; or State Boards and Commissions, Commissioners, or Agency Designees.

As a practicing attorney, I appeared in trial courts throughout the State. I worked alongside the Tennessee Attorney General's Office on any cases that were appealed to the Tennessee Court of Appeals. I also practiced in front of numerous administrative bodies and tribunals, including State Administrative Judges, The Tennessee Board of Appeals, and Federal District Court. During my years as a practicing attorney, I primarily practiced in the following areas: Employment Law, Property Law, Health Law, Fraud and Abuse, and Administrative Law. My years of practice included drafting and arguing all types of motions and pleadings (see general list at paragraph 6) from the inception of the hearing process through any potential appeal.

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

As listed below, I am a certified Rule 31 Mediator. While many case types can be referred to mediation, I most often conduct mediations in the areas of education, employment discrimination, and human rights.

I regularly sit as an Administrative Judge with various Boards, Commissions, or Agencies. In this role, I charge the decision-making entity (primarily through pattern instructions), hold prehearing conferences regarding special instructions, and address matters of confidentiality via protective orders or filings ordered to be placed under seal. Such experience mirrors my would-be responsibilities as it relates to jury trials.

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

I am required to have knowledge of an extensive array of procedural rules and requirements. In addition to the Tennessee Rules of Civil Procedure and Evidence, many of my hearings are also conducted under the Uniform Administrative Procedures Act, and its implementing regulations - the Uniform Rules of Procedure for Hearing Contested Cases Before State Administrative Agencies.

In addition, each Agency or municipality may have its own set of rules. Therefore, I often must adapt and adjust to numerous, differing rules/requirements on a daily basis.

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.

Union University – Fall 1999 – Fall 2000 – transfer due to change of major.

Volunteer State Community College – Summer 2000 – Additional summer credits earned.

Middle Tennessee State University – Spring 2001 – Summer 2003 – B.S. Political Science with Minor in History and English

Middle Tennessee State University – Fall 2003 – Graduate program in Sports Management – did not complete due to law school admission.

Ohio Northern University College of Law – Summer 2004 – Fall 2006 – Juris Doctorate

Liberty University – Fall 2023 – current – working toward Masters in Divinity

PERSONAL INFORMATION

12. State your date of birth.

██████/1981

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

I was born and raised in Tennessee.

I have continuously lived in Tennessee since my 2006 graduation from Ohio Northern University.

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

2006-present

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.

No formal complaints have been filed against me.

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.

Fraternal – Alumni – Lambda Chi Alpha fraternity

Charitable – Financial Supporter of various programs and ministries, including the following:

- Sumner County CASA (Court Appointed Special Advocates)
- Fellowship of Christian Athletes
- Get Strong Ministries (Christian strength training missions organization in the U.S. and Guatemala)
- An individual missionary family to Ecuador

Religious – Member of Long Hollow Church in Hendersonville, Sumner Co., TN since 2007

- Deacon since 2012
- Life Group/Sunday School leader/teacher for youth and adults since 2010
- Christian apologetics/worldview workshop teacher
- Interim pastor/pulpit supply for different churches in Sumner County since 2018

Community – Mentor and coach since 2013 through basketball, football, and baseball

- Upward Sports – Hendersonville – football and basketball
- Civitan/Recreational Leagues – Goodlettsville, Hendersonville, and Gallatin – baseball, football, and basketball
- Davidson Academy Middle School – basketball

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.

Due to my current position as an Administrative Judge, my formal membership in many societies/organizations has been intentionally limited.

TN Achieves mentor for college admissions – 2017

TISL (Tennessee Intercollegiate Legislature) Juror of View – 2021

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.

Completed National Judicial College's Fair Hearings Course in Reno, Nevada

Graduate of the National Academy for IDEA (Individuals with Disabilities Education Act) Administrative Law Judges and Hearing Officers in Seattle, Washington

Rule 31 certified Mediator

I have been an inaugural Administrative Judge committee member for writing and quality assurance. My duties involved reviewing orders from colleagues to ensure outstanding grammatical and legal analysis, making suggestions as needed.

Alumni – Tennessee Government Management Institute

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.

Not applicable.

ESSAYS/PERSONAL STATEMENTS

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

Judges are asked to do far more than simply decide the outcome of a case. Every litigant stands before a judge because a wrong has allegedly occurred that cannot otherwise be resolved. For some, especially those who represent themselves, a judge may be the only person the litigant feels "heard" them in a system that can sometimes leave more questions than answers at the close of legal proceedings. I seek this position to ensure that the laws enacted by the legislature are followed. I have a decade of experience with litigants, attorneys, families, and court staff. In a system that is adversarial by its nature, my experience has helped me develop a temperament that treats each person with equal value, regardless of the outcome of their case. I want to serve the citizens of Sumner County as a judge that follows the law while treating people with dignity and respect.

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 substantial growth in Sumner County has necessitated the creation of this judgeship. If appointed, I will become one of three Circuit Court judges in Sumner County. Since it is a court of general jurisdiction, I will hear both civil and criminal matters. This also includes appeals from Juvenile and General Sessions courts. My selection would provide an immediate benefit to the other two circuit court dockets because I am already prepared to begin presiding over hearings of all types. There are very few case types, including certain cases involving criminal law, with which I have not had some level of experience from having presided over trials involving a wide array of legal issues and situations over the last decade. I also desire to be a welcome addition to the other courts and staff by being someone who is technologically savvy, humble, agreeable, and kind.

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)*

Without public trust in the law and its enforcement, societies do not persevere. One of the main reasons our country has been able to thrive has been the separation of powers between the three branches of government. A judge's responsibility is to maintain a position of impartiality and to enforce the law as written. My primary goal will be to follow the laws as written by the legislature, regardless of the outcome. There have been numerous occasions over my ten years of judicial experience that I have had to impact someone's livelihood, property, professional license, or benefits. At times, a litigant is genuinely apologetic and desires to make amends for a particular wrong. Some of the litigants that come before me were placed in difficult situations and reacted in ways that many people would find understandable. However, I often must rule against these litigants because they did not follow a law, rule, or procedure.

I have also presided over matters garnering media attention. In one instance, I presided over an election finance matter in which following the law meant that I would rule and impose significant attorneys' fees against a state commission. My chief responsibility as a judge is to ensure the laws or rules are followed, not to interpret those laws in such a way that would allow for a different outcome. I trust that the legislature will change laws as needed. I will impartially apply and enforce the law as written.

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. Tre Hargett, Tennessee Secretary of State – [REDACTED]
B. Johnny Garrett, Esq. – House District 45 State Representative – [REDACTED]
C. Phillip R. Hilliard, Esq. – Chief Administrative Judge, Administrative Procedures Division, Office of Tennessee Secretary of State Tre Hargett – [REDACTED]
D. Baron Lowe – Registered Pharmacist/MBA – Vice President of Market Access for Rite Aid Pharmacy – [REDACTED]
E. J. Richard Collier, Esq. – Associate Counsel for the Tennessee Department of Safety and Homeland Security. Former Chief Administrative Judge, Administrative Procedures Division, Office of Tennessee Secretary of State Tre Hargett (Retired). [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] 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 16, 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.

Michael Begley

 Type or Print Name

 Signature

4/16/2024

 Date

025888

 BPR #

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