

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

04/15/16

Name: William Kent “Bill” Rogers

Office Address: 434 Shelby Street Kingsport, Sullivan County, TN 37660
(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 word processing 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 word processing 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. Submit original (unbound) completed application (with ink signature) to the Administrative Office of the Courts. In addition, submit a digital copy with electronic or scanned signature via email to debra.hayes@tncourts.gov, or via another digital storage device such as flash drive or CD.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Municipal Judge, City of Kingsport, TN
Private Law Practice, Law Office of William K. Rogers

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

1986 #012232

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: #012232
Current case: Florida Bar Association Pro Hac Vice #PHV 123449

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).

Head Men's Tennis Coach, East Tennessee State University, Johnson City, TN 1980-1982
Law Offices of David W. Blankenship, Kingsport, TN 1986-1988

Law Office of Blankenship and Rogers, Kingsport, TN 1988-1991

Law Office of William K. Rogers, Kingsport, TN 1992-present

Municipal Judge, City of Kingsport, TN 2011-present

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.

Municipal Judge 20%, Trial Practice 20%, Family Law 20%, Mediation 20%, Estate work and counsel for Credit Union 20%

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.

Experienced trial practice for over 30 years in all Sullivan County courts and surrounding counties; argued cases in Tennessee Court of Appeals and Federal 6th Circuit Court of Appeals

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

Numerous appointments by local Judiciary in complex estate litigation

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

Rule 31 Mediator for 16 years, among first in area

Graduate of Tennessee Judicial Academy August 22, 2013

Speaker at Tennessee Municipal Judges conferences

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.

ETSU 1976-80, Bachelor of Business Administration with honors

ETSU 1980-1982, Master of Business Administration with honors

University of Tennessee College of Law 1983-86, JD

PERSONAL INFORMATION

12. State your date of birth.

November 14, 1957

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

59 years

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

59 years

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

Sullivan

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.

Received Board of Professional Responsibility complaint 3/15/07, dismissed #30008-1-TH

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.

2/12/07 Received summons in estate matter for which I had been appointed by the court as Administrator Ad Litem. Case was filed in the Circuit Court for Sullivan County, case number 37240(c). The plaintiff, an heir to the estate, sued her attorney, accountant and myself as Administrator Ad Litem. The heirs had entered into mediation and resolved all issues, but some time later this heir filed the complaint. The Court granted Summary Judgement on several of the issues and the Plaintiff filed a voluntary non-suit with prejudice 3 days later. This is also the subject of the Board of Professional responsibility complaint referenced above in Question 19, which was dismissed.

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.

First Broad Street United Methodist Church

Mountain Empire Tennis Association (Middle School coach)

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.
- If so, list such organizations and describe the basis of the membership limitation.
 - 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.

Tennessee Municipal Judges Conference 2011-present (twice elected East Tennessee Governor on Board of Governors 2014 - present, several committees and seminar instructor)

Kingsport Bar Association member over 30 years

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.

Kingsport Bar Association President 1993-94

Young Lawyers Division President 1989

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)*

I have practiced law in Sullivan County since 1986, the year of my graduation from the University of Tennessee College of Law. After beginning my legal career in a small firm, I have successfully and happily operated as a solo practitioner for the last 25 years, with a fulfilling practice covering every aspect of the law. In 2011 I was appointed by former Kingsport mayor Dennis Phillips to serve as Municipal Judge of Kingsport, a part-time position which ignited in me a new-found legal passion. I seek the privilege of serving the citizens of Sullivan County by providing a calm and thoughtful ear for all matters brought before my court, both civil and criminal. My time as a municipal judge has brought me much feedback, both personally and from others, that leads me to desire a judicial role on a full-time basis.

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)*

I have had the pleasure of being a life-long Sullivan county resident and providing calm and competent legal services in the Second Judicial District all my adult years. The recently vacated Circuit Court Judgeship incorporates both Civil and Criminal actions. The Second District includes one Criminal Court, two Circuit Court Judges and a Chancellor, all who I know and respect and who can each attest to my work-ethic and professionalism. They would find in me a compatriot who does what he's supposed to do, in a most timely and thorough manner. While

serving as Municipal Judge of Kingsport, the clerk, bailiffs, police officers, City Attorney and others involved in Municipal Court proceedings seem to have valued my contributions to a well-run operation. In turn, I have valued their efforts and the opportunity to be a part of a larger team, an aspect of the law often lost as a solo practitioner.

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 recognize the role of this court is to up-hold the laws as written, not to interpret them as suits my preference. As a sitting judge I routinely experience this conundrum. Often I have been unable to grant leniency such as driving school to commercial drivers, even when they are prosecuted for traffic offenses while driving their personal vehicles. The infractions, however small, often result in commercial drivers losing their jobs; but they are, and should be, held to a higher standard.

Several years ago I represented the Defendant in a criminal case before a jury in the same court room in which I will serve if appointed. My client worked for a small construction business and the owner experienced a medical emergency taking him out of the state for several months of treatment. My client finished up on-going jobs and lined-up and completed several new jobs while the boss was away. My client kept the monies he had earned during the boss's absence and was charged with felony criminal theft. I presented the best possible defense but lost the case. It was a bitter pill to swallow at the time, but a strict interpretation of the law justified the jury's decision. On a side note, I'm happy to report that this client now runs a successful business of his own and remains a friend and client of mine to this day.

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. Jerry Blackwell, M.D., President Wellmont CVA Heart Institute,

B. Wayne Culbertson, Attorney,

C. Dr. Phil Hoskins, Owner of Oak Hill Funeral Home and Minister,

D. Carla Karst, Residential and Commercial Developer,

E. Dennis Phillips, Kingsport Mayor 2005-2015,

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 2nd 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 12, 2017

Signature



When completed, return this questionnaire to Debbie Hayes, 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.

William K. Rogers

Type or Print Name

Signature

April 12, 2017

Date

012232

BPR #

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

