

COPY

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

04/15/16

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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 by the noon deadline date an 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.

Partner in WILSON, HOWSER, OLIVER & TURNER, PLLC

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

Licensed: May 2007

TBR #00257891

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 have been continuously licensed in the State of Tennessee since May of 2007. My license to practice law remains active and my Tennessee Board of Professional Responsibility Bar number is 025891.

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).

I have never been suspended or placed on inactive status by any Bar in any state.

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).

Wilson, Howser, Oliver, & Turner (2013-Present) Attorney/Partner

Middle Tennessee State University (2015 – 2017) Adjunct Professor

Reed & Howser (2007 – 2013) Attorney

Tennessee Judiciary/Circuit Court Judge J. Mark Rogers (2004 -2007) Judicial Assistant/Law

Clerk

Tennessee Judiciary/Circuit Court Judge Don R. Ash (1999-2004) Judicial Assistant

Wilson & Bradley (1998 – 1999) Paralegal to Howard W. Wilson & Susan K. Bradley

Homemaker 1997-1999 (Birth of only child, Hannah Elizabeth on 11/25/1996)

Corporate Catering, Etc. (1993-1997), CEO/President

Agee, Allen, Godwin, Morris & Laurenzi (1991-1993) Receptionist/Typist/Secretary/Paralegal

M. Lee Smith Publishers & Printers (1990-1991) Researcher

Ren Corporation (1989 – 1990) Medical Secretary/Phlebotomist

Alvin C. York Veterans Hospital (1988-1989) Laboratory Services Typist (Temporary Position)

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.

My practice involves primarily domestic relations cases. I would delineate the percentages as follows: Divorce (60%), Post-Divorce Modifications (20%), Paternity (10%), Dependency and Neglect Cases (2%), Termination/Adoptions (5%), Child Support (2%), Other (1%).

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.

I began my legal career at Reed & Associates. Like many new lawyers, I took judicial appointments from the criminal dockets, juvenile dockets, and probate dockets before I found my niche. During this time, I served criminal defendants in the Juvenile, General Sessions and Circuit Courts. I also served as a parent-attorney in cases involving dependency and neglect, and termination cases. I also enjoyed serving as guardian ad litem in conservatorships. Early in my career, I also assisted a seasoned attorney in workplace discrimination cases. As my practice became more established, I began to focus on Divorce, Post-Divorce Modifications, Enforcements, Child Support, and Juvenile Cases. I have represented litigants in the Tennessee Court of Appeals, including representing an indigent person in a termination of parental rights case. I have tried many bench trials in the following Tennessee counties; Bedford, Cannon, Coffee, Davidson, Lewis, Lincoln, Rutherford, Marshall, Maury, Moore, Sumner, Warren, and Williamson. I have served as a substitute teacher for Judge Don R. Ash at the Nashville School of Law, teaching Civil Procedure. I have also been an adjunct professor at Middle Tennessee State University, teaching Family Law for the Political Science Department. I currently serve as a legal advisor to Tennessee Representative Bryan Terry which has also allowed me the

opportunity to draft and contribute to legislation.

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

Prior to the Obergefell v. Hodges opinion, I represented a woman who was involved in a same sex relationship. The woman was the only person to adopt a child under law and her partner sued her for custody/parentage over the child. I represented the biological mother from the trial court level through the Tennessee Court of Appeals. In that case, the Court held the biological Mother was the only parent and her partner was not entitled to visitation with the minor child. In re: Hayden C. G-J, M2012-02701-COA-R3-CV.

Since Obergefell, the case law is evolving and unclear. I was also involved in litigation regarding a father's rights in a parentage action where two spouses agreed to undergo artificial insemination using a friend as a donor. However, the birthing spouse also was intimately involved with the donor without her spouse's knowledge. The question became who was the legal parent to the minor child. After years of litigation, the parties were able to settle the case outside the court system. In re: B.D.A. (d/o/b 09/04/2009) Rutherford County Chancery #5CV-1351.

In 2016, I filed an ouster suit against our local sheriff. We were successful in his temporary removal and upon his plea of guilty in the Federal Courts, the case became moot before the final trial. James Robert Gann, III et al. v. Robert F. Arnold, Rutherford County Chancery #16CV-1500.

I am involved in interesting conservatorship case where the ward has married and had children after the conservatorship was in place, but is still not competent to handle his own affairs and the conservators are wishing to be removed. The case was to be a possible removal of the conservatorship but now has me investigating other legal issues that have presented as to the validity of the marriage, the status of the children, etc.

I am also admitted to the United States District Court for the Middle District of Tennessee (April 2009), and the United States Supreme Court (January 2011).

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

I have served as a Rule 31 mediator to numerous domestic cases since receiving my certification in February 2014. While each one was noteworthy and significant to the parties, none were of specific legal significance. Most of the cases involved identification and division of assets, development of parenting plans, setting child support, and alimony.

I have also had the pleasure to serve on the board for Help for Nicaragua, a 501C3 organization that serves the indigent and poor in the rural mountains of Nicaragua. In that role, I have had the privilege of getting to know the legal system in Nicaragua and assisting the board with legal issues here in the United States. This experience has given me an even greater respect for our system of justice in the United States. I also enjoyed teaching at Middle Tennessee State University, and on rare occasion at Nashville School of Law.

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

This is my second application to serve in any public office. In 2017, I applied for the opening of the Circuit Court Judgeship left vacant by the passing of Judge Keith Siskin, but was not selected.

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.

Nashville School of Law, Nashville, Tennessee (2002-2006) Juris Doctorate

Middle Tennessee State University (1989-1992) Bachelor of Science in Pre-Law; Minor in Criminal Justice and English

Liberty University, Lynchburg, Virginia (1986-1988) I left Liberty before I was able to graduate due to the untimely illness and subsequent death of my Father

PERSONAL INFORMATION

12. State your date of birth.

D/O/B [REDACTED] 1968; 49 years of age

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

30 years

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

I have lived in Rutherford County for the last 20 years (1998 – Present)

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

Rutherford County, Tennessee

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.

I have not had the privilege to serve in the military.

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.

I have never pled guilty, nor been convicted of, any crime other than minor traffic offenses many years ago.

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.

To my knowledge, I am not under investigation by any agency for any unlawful or unethical conduct.

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.

I have been required to respond to one complaint with the Tennessee Board of Professional Responsibility. A complaint was made by an opposing pro-se litigant in a child custody matter. The pro-se litigant complained because I had represented her current boyfriend in his divorce years prior, and she believed I had a conflict of interest representing both her prior boyfriend and

father of her child. The Board dismissed the complaint without merit.

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.

(February 2002) Renee Michelle Blaylock v. William Stanley Blaylock. Rutherford County Circuit # 46132. Uncontested Divorce with Children.

(2005) John C. Kersey, Sr. v. John W. Bratcher, et. al, Rutherford County Chancery Court #05-1491MI. John Kersey, a disbarred attorney, came to the Rutherford County Clerk and Master's office seeking a file for review. The clerk explained the file was in the office of Judge J. Mark Rogers for review and recusal. The Plaintiff insisted on seeing the file and I agreed to allow him to come to the Judge's office to review the file. Upon his entry with two deputies, I handed him the file and directed him that he could sit on the office couch to review the file. Instead he insisted in standing over me in my personal space. I again explained he could sit on the couch to review the file wherein he became belligerent and loud. The Judge was on the bench at that time and the Plaintiff's belligerence could be heard in the courtroom. The deputies escorted him out of the office. He filed a complaint stating the Clerk's office and I had violated the public records act. His complaint was dismissed by Summary Judgment. The Petitioner appealed to the Court of Appeals and the judgement of the trial court was affirmed. (M2006-01319-COA-R3-CV September 2007)

(1996) Corporate Catering, Inc. v. Corporate Catering, Etc. Davidson County Circuit Court #96C-903. The owner of a company named Corporate Catering, Inc. filed a common law copyright case against my company Corporate Catering, Etc., LLC. My company had purchased many assets of the previous company through a bankruptcy auction, including the telephone number. The petitioner claimed that he had a common law copyright on sandwiches we

produced and the name we used. After a jury trial, the trial judge, acting as the 13th juror, dismissed the complaint stating Tennessee did not recognize common law copyright and that his complaint stated claims upon which he could not find relief. The Plaintiff filed an appeal with the Tennessee Court of Appeals M1997-00230-COA-R3-CV, wherein the Court of Appeals affirmed the judgement of the trial court.

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.

HELP for Nicaragua (Secretary) 2008 – Present

First Presbyterian Church of Murfreesboro (Ruling Elder) 2006 – Present

Chairman of Youth Ministries Committee, First Presbyterian Church, Murfreesboro, TN (2010-2014)

Rutherford County Chamber of Commerce (2012-2015)

Tennessee Tech Parent Association (2015-current)

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.

Many years ago, I belonged to the Junior League of Murfreesboro. I believe that organization limits its membership to women. I no longer belong to the Junior League and resigned my membership approximately 20 years ago.

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.

Member, Tennessee Bar Association, 2007 – Present

Member, Rutherford/Cannon County Bar Association 2007 – Present

Member, Andrew Jackson Inn of Court, 2008 – Present

Member, Barristers Lions Club 2015 – Present

Co-Chair of Programs Committee, Middle Tennessee Lawyer's Association for Women (2017 – Present)

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.

2008 Rutherford/Cannon County Bar Association Richard LaRoche Pro Bono Attorney of the Year.

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.

I have never had the privilege to serve in any public office nor have I previously been a candidate for any public office. I was an applicant for the Circuit Court Judge position vacated by the death of Judge Keith Siskin and appeared before this committee

ESSAYS/PERSONAL STATEMENTS

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

I am seeking this position because I have a desire for public service and a strong sense of justice. I believe my personality, temperament, legal experience and life experiences make me best equipped to be a judge at this time in my life. I was taught about how to be a jurist by some of the best on the bench. They taught me about jury trials, how to be an effective public servant, to show grace and mercy while being able to administer justice. My legal career has expounded on those lessons and has allowed me to utilize the skills of so many who invested in me. I have experience in several areas of the law and have significant experience in domestic and family law matters. I also have the life experiences of being divorced, being part of a blended family, and learning to thrive in the roles of step-parent, parent, and wife. I, along with my sister, have now assumed the role of caretaker of my Mother. Most of all I am blessed to be a woman in a profession I love which lends me a perspective different than my male colleagues. All my experiences have prepared me for this important and meaningful opportunity by allowing me to understand a litigant's perspective. I wish to have a legacy to leave to my children and

grandchildren of which they can be proud and demonstrate to them the value of public service.

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)*

As our laws and society progress, there seem to be fewer jury trials in our county. A majority of the cases being heard in Rutherford County are domestic cases. Due to our rapidly growing population, Rutherford County currently has five trial judge positions adding this as a sixth position. As I understand it, this position will be a civil position with an emphasis on the domestic docket. Although each jurist has his own way of approaching his docket, the perspective of a female jurist brings more diversity to the bench, offers a unique perspective, and serves as a role model to young citizens. I believe Rutherford and Cannon Counties need a female perspective to properly reflect the demographics of our judicial district and to add balance to our current bench.

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)*

It is crucial a judge uphold the law despite his/her personal feelings. The rule of law gives people expectations and allows them to trust the independent judiciary. I sometimes hear my clients complain a judge was not fair to them. However, I explain to them that often it has nothing to do with the judge and everything to do with the law. Laws are not fair to all people all the time. I can think of numerous incidences where the law was not fair to someone, but it was crucial it be followed. I was involved in a parenting plan modification case wherein the parties were never married, and their first parenting plan was entered by the Rutherford County juvenile court. The Mother moved to Williamson County and the Father continued to live in Rutherford County. Because the Father continued lived here, Rutherford County maintained jurisdiction in the modification petition. Father went through several attorneys, continually delaying the trial. A month before the final hearing was scheduled, Father moved to Williamson County. One week before the trial was set to commence, his counsel filed a Motion to Transfer the case to Williamson County, which would again delay the trial. The case had been set by agreement of the Father, but his deliberate move to Williamson County required the Court to transfer the case and delayed trial. I was furious, but I had to acknowledge that despite the child needing permanence, I could not argue that the law disfavored his position. It was not fair to the child, nor to my client who needed closure, and she was devastated. However, instead of getting angry at the situation I got to work and drafted an amendment to that statute and worked with my local legislator to get the statute changed.

Similarly, I had a case involving a same-sex relationship wherein my client, during the relationship, adopted a child. My client's significant other helped raise the child, and upon splitting, the significant other sued her for custody/visitation of the child. I had researched the law extensively and assured my client that the law was in her favor. Her significant other did not

have a legal relationship to the child and therefore was not entitled to visitation or custody of the child. I immediately filed a Motion to Dismiss for failure to state a claim for which relief could be granted. It was denied. I filed a Motion for Summary Judgment. It was denied. I filed an interlocutory appeal. It was denied. I began to doubt myself a bit. However, I knew I was right. My client spent thousands of dollars for me to advocate for her position all the way through a trial. After two days of trial, the judge ruled that the significant other did not have a legal relationship to the child, and therefore was not entitled to visitation or custody. My client was very frustrated the judge did not grant her motion in the first place. Although I felt the system I believe in let this person down, I explained to my client that novel legal situations deserve research and inspection, and the trial judge in this case needed time to come to the correct legal conclusion. I felt badly for her significant other as I know she loved this child. However, the right outcome according to the law was achieved.

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.

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| A. Mary Katharine White, Assistant District Attorney, Williamson County. [REDACTED] PO Box 937, Franklin, TN 37065, [REDACTED] | |
| B. Lisa Taylor, Senior Vice President, Pinnacle Financial Partners, [REDACTED] 114 West College Street, Murfreesboro, TN 37130, [REDACTED] | |
| C. John G. Pearson, Retired Physician, [REDACTED] Wildwood Circle, Winchester, TN 37398, [REDACTED] | |
| D. John Hinkle, Jr., Minister, First Presbyterian Church, [REDACTED], 210 North Spring Street, Murfreesboro, Tennessee, [REDACTED] | |
| E. Renee Adams, Retired Insurance Specialist for NHC, [REDACTED] 2727 Wynthrope Hall Drive, Murfreesboro, TN 37129, [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 Circuit Court of the Sixteenth Judicial District 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: July 6, 2018.



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.

R. Michelle Blaylock-Houser
Type or Print Name

[Handwritten Signature]
Signature

7/6/2018
Date

25891
BPR #

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

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