

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

04/15/16

Name: Edward Stephen Ryan

Office Address: 222 Second Ave. North, Suite 500, Nashville, TN 37201
Davidson County
(Including county)

Office Phone: 615-862-5500 Facsimile: 615-862-5599

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.

Davidson County District Attorney General's Office
Twentieth Judicial District

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

Licensed in 1995 BPR # 017549

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

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).

Metropolitan Nashville Police Department 1981-1997: Worked in the patrol division for two years before being assigned to the K-9 unit for 10 years. After being promoted to Sergeant and graduating from law school I was assigned to the legal division and taught law at the police academy.

Davidson County District Attorney General 1997-1999: As an Assistant District Attorney, I was

the team leader in the vehicular crimes unit prosecuting multiple offense DUI offenders and vehicular homicide cases. I was then assigned to Division IV Criminal Court prosecuting various felonies.

Private Practice 2000-2014: Law practice with some probate matters but 98% criminal defense. Practiced throughout Middle Tennessee in General Sessions Court and Criminal Courts representing individuals for charges from misdemeanors to murder.

2014-Present: Davidson County District Attorney General's Office: Assistant District Attorney General, Team Leader of Special Operations unit we focus on major narcotic cases working with MNPB's Major Case Task Force, DEA, and TBI. These are long term investigation utilizing informants, surveillance and electronic surveillance. This unit also investigates public nuisance matters and police involved shootings.

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.

Criminal Prosecution 100%: I am currently prosecuting multiple cases against Drug Trafficking Organizations, Murder for Hire, Aggravated Rape and Aggravated Kidnapping.

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 have practiced in the General Session Courts and Trial Courts throughout Middle Tennessee. This has included motion practice, hearings, and jury trials. I have appealed numerous cases to the appellate courts. I have done hearings in front of Administrative law judges as both a prosecutor and a defense attorney.

I was appointed as the Magistrate in Environmental Court in Davidson County, and ruled on Metro ordinances.

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

None

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

Keynote speaker at various CLE programs for both State, Local bar associations to include the District Attorneys Conference. Topics included: cross examination, voir dire, Ethics, motion practice, electronic surveillance.

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.

1983-1987 Aquinas Jr. College AS Criminal Justice, minor is psychology

1988-1991 Tennessee State University BS Criminal Justice

1991-1995 Nashville School of Law JD

PERSONAL INFORMATION

12. State your date of birth.

June 16, 1959

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

36 years

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

12 years

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

Davidson County

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.

1977-1981 United States Air Force, E-4, AF Longevity service award, Small Arms Expert Marksmanship, Good Conduct Medal, Training: Law Enforcement Specialist, Combat skills, Terrorist Threat Training, Military Customs Inspector, Narcotics and Dangerous Drugs Law Enforcement course, Supervisor Safety, NCO Orientation Course. Honorable Discharge.

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.

None.

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.

ID Divorce 2002 Edward Ryan vs. Susan Ryan 01D-2068

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.

Cathedral of the Incarnation 2012-Present

Nashville Cares 2010-Present

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.

None.

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.

National Association of Criminal Defense Lawyers 2001-2014

Tennessee Association of Criminal Defense Lawyers 2001-2014 (science chair 2011)

National College for DUI Defense 2002-2014 (State representative 2008-2014)

Tennessee Bar Association 2000-2014

Tennessee Bar Foundation "Fellow"

Nashville Bar Association 2000-2014

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.

Tennessee Bar Foundation "Fellow"

Martindale-Hubbell AV rating

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.

2001-2008 Magistrate of the Environmental Court in Davidson County, Appointed.

ESSAYS/PERSONAL STATEMENTS

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

I am seeking the position of Criminal Court Judge Division II because I want to bring my life experience to the bench to ensure all people are treated fairly. I have the unique perspective of seeing how crime effects people in Davidson County. With 16 years on the police department, I have seen people at their worst and the heinous acts they commit. I have comforted mothers

whose children have been victimized. I have been with people accused of crimes from their arrest through jury trial and I know how that affects the person and their family. As a prosecutor I have sat down with victims of crime and heard their stories and shared their tears as they experienced a tragedy they did not expect. With this perspective I know that I can be fair and impartial to all sides and ensure that victims and those accused will be treated equally.

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)*)

Criminal Court Division II in Nashville Davidson County is one of six criminal courts in the Twentieth Judicial District. These courts handle multiple matters on a weekly basis: jury trials, probation violations, evidentiary matters, sentencing hearings, post-conviction relief, indigence hearings, supervising bonding companies, grand juries (this is a brief list). Davidson County has 35 jury weeks a calendar year so it is imperative that courts work hard to ensure that these weeks are used diligently so that all parties are afforded a timely trial. In 2016 there were 17,281 events docketed in the criminal courts in Davidson County. My experience in the trial courts and selection to the court would ensure that I am able to go to work on my first day to serve the citizens of Davidson County.

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)*

Yes without a doubt I would follow the law, rules of procedure and evidence without regard for my personal thoughts.

One issue I have reservations about is the Drug Free School Zone and its application. I agree with the enhancement provisions and mandatory minimum sentence due to the inherent dangers that coincide with drug deals. This statute should be used only at a time and place when children are present and at risk. I have seen cases that this provision was used when a person drove past a school at 3:00 in the morning and no children were in harms way.

A second issue is the resistance to re-examine science as it evolves in the justice system. For example in DUI cases, while we all recognize that drinking and driving is a large problem and needs strict enforcement science is being ignored. The law on breath testing i.e. State v. Sensing is still the law despite scientific finding that how the instruments are calibrated are not scientifically valid. Field Sobriety Test's while being shown to have a reliability factor of under 70% on each task are still allowed. The ability to challenge them is limited because it is not considered scientific and the officers testifying are not experts. DUI cases need to be aggressively enforced but as science changes so must the courts.

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. William (Bill) Ramsey
B. David Raybin
C. Rich McGee
D. Dick Darr
E. Amber Cambron

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] Criminal Court Division II Nashville Davidson County, 20th Judicial District 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: August 11, 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.

Edward S. Ryan

Signature

August 11, 2017

Date

017549

BPR #

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