Tennessee Trial Court Vacancy Commission

Application for Nomination to Judicial Office

04/15/16

Name: Jennifer Johnson Mitchell

Office Address: (including county) 295 Washington Avenue, Ste. 2

Memphis, Shelby County, Tennessee 38103

Office Phone: (901) 249-9928 Facsimile: (901) 529-0029

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.

AOC DIRECTOR'S OFFICE
OCT 16 2017
RECEIVED

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Law Office of Jennifer Johnson Mitchell, PLLC, Attorney

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

2001. TBPR #21547

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	**BPR #21547**	**October 31, 2001**	**Active**

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 Shelby County Public Defender, Assist. Public Defender 2001-2013

Law Office of Jennifer E. Johnson 2005-2007

Law Office of Jennifer Johnson Mitchell, PLLC January 2014 - Present

Remington College, Professor 2015-2016

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.

The majority of my practice currently is dedicated to criminal defense. I practice in all of the general sessions and criminal courts in Shelby County. This constitutes approximately 95% of my practice. Family Law and Juvenile Law comprise the rest of my current practice.

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.

Over the course of my legal career, I have practiced in the General Sessions Criminal and Civil, Criminal Court, U.S. District Court, Shelby County Juvenile court, and Criminal Court of Appeals. Most of my dedication and time has been spent practicing in General Sessions Criminal and Criminal Court. I have negotiated countless criminal matters to a successful resolution and I have tried different types of matters in both General Sessions and Criminal Court. I have also practiced in the Criminal Court of Appeals.

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

Not Applicable.

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

Not Applicable.

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.

University of Tennessee/ Martin B.A. Criminal Justice 1988-1992

University of Memphis, M.A. Criminal Justice 1993-1994

University of Memphis, Cecil C. Humphreys School of Law, J.D. 1998-2001

PERSONAL INFORMATION

12. State your date of birth.

March 27, 1970.

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

47 years

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

20 years

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

Shelby

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.

Not Applicable.

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.

Johnson v. Israel, Shelby County Juvenile Court Docket No. R6626, September 15, 2005 *child support awarded*

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.

Whitehaven Football Booster Association, Treasurer, Currently

City University Schools, Board of Trustees, President 2012 -2017

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.

Memphis Bar Association

Tennessee Association of Criminal Defense Lawyers

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.

Not Applicable.

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.

Shelby County Judicial Commissioner, Applicant. Appointed position. Not appointed. June 2016.

ESSAYS/PERSONAL STATEMENTS

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

Over the course of my career, I have served the public in many different capacities. I have served children in foster care, inmates at the Shelby County Correctional Center, indigent defendants in the justice system, and the chronic mentally ill community. I have always sought for ways to help others. As I have gained legal experience through the years as a practicing attorney, I am excited about the opportunity to once again serve the citizens of Shelby County in another capacity. I watch daily as citizens of our community are affected by the decisions of our local judges. I seek to strengthen our community by being fair and impartial on the bench.

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 position I am seeking is the Shelby County Criminal Court Division X seat located in the Thirtieth Judicial District in Memphis, Tennessee. There are ten criminal courts in this jurisdiction. These courts hear all adult criminal cases from misdemeanors to felonies and those juveniles who are being adjudicated as adults in criminal matters. The courts' caseloads are heavy and the current courts do a masterful job in managing the caseload. But the cases reflect the issues that plague our community and each case requires someone who has the temperament to listen, who can be fair and impartial and someone who cares about people - all of the people of Shelby County. My appointment to the seat would bring a new face to the judiciary in Shelby County and I think would strengthen the local court by adding more diversity to the court.

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. As a criminal defense attorney, one of the hardest concepts and principals I ever had to explain to a defendant, particularly a juvenile defendant and a parent, was the principle of transferred intent as embodied in the offense of felony murder. On more than one occasion, I have had the arduous task of trying to explain to a client and parent that even though there was not any intent to commit murder, because a murder occurred during the course of or as a result of the intended felony, then the accused can be charged and found guilty of the murder. I understand the law and the reason for its existence, but I understand how the accused and

especially a parent feels when there was not intent to commit murder. As a practitioner it is my responsibility to explain to my client and continue to explain that we are held responsible for the consequences of our actions and the law is intended to protect those who were not the intended victim of the offense.

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. Julian Bolton
B. Robert W. Jones
C. Donald L. Johnson
D. Janice Epperson
E. Kevin Reed

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] Thirtieth Judicial District Criminal Court Division 10 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: Oct. 14, 2017.

Jennifer J. Mitchell
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.

Jennifer Johnson Mitchell
Type or Print Name

Jennifer J. Mitchell
Signature

10/14/2017
Date

21547
BPR #

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