

**Tennessee Trial Court Vacancy Commission**  
***Application for Nomination to Judicial Office***

04/15/16

Name: Catherine M. White

Office Address: 1016 Dallas Road, Suite 203, Chattanooga, TN 37405  
(including county) Hamilton County, TN

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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](http://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](mailto: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.

Catherine M. White, Attorney at Law, and Rule 31 Supreme Court Approved Family Law Mediator.

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

1988; Bar No. 013458

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.

Georgia 1989; Bar No. 752990, 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).

Samford University's Cumberland School of Law in Birmingham, Alabama, J.D., May 1988.  
Eugene Collins & Associates, Assistant Special Counsel to the City of Chattanooga, Tennessee, 1988-1990.  
Leitner, Warner, et al, Associate, Chattanooga, Tennessee, 1990-1992.  
Catherine M. White, Attorney at Law, and Rule 31 Supreme Court Approved Family Law Mediator, Chattanooga, Tennessee, 1992-current.

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.

I have a law practice that consists of general litigation cases (20%), and family law cases, to include family law mediation (80%).

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 experience as a licensed attorney has primarily been at the trial level, although I have filed appeals as of right to the Court of Appeals or defended against same. I have also requested permission to appeal to the Supreme Court of Tennessee. On the average, I appear in Circuit Court at least once, if not, two or three times per week, either for a hearing or a full blown trial. Otherwise, I am either conducting a mediation as a mediator, attending a mediation as an attorney, or in depositions.

In my early days practicing for the City of Chattanooga as Special Counsel (1988-1990), I defended the City of Chattanooga in personal injury cases. The cases were generally about dangerous road conditions. I also handled cases where accusations were made of police brutality. There were also cases where a city employee would appeal an adverse employment action. I also represented the City of Chattanooga in the beer board hearings, where a store owner would challenge being fined or closed for violating the beer statute. I served as counsel in condemnation cases on behalf of the City of Chattanooga, which included jury of view trials.

When I went to work for Leitner, Warner, et al, as an Associate (1990-1992), my experience shifted to insurance defense in cases involving workers' compensation and personal injuries.

In 1992, I opened my law practice. I have had five jury trials over the course of the years and another one is set to come up this fall. I was sole counsel in all five of the jury trials, which included a claim for violation of a patient's privacy rights by a mental health facility, an appeal to Circuit Court from a jury of view verdict in a condemnation case, a claim for defective workmanship in the building of a house, a claim for racial discrimination against a commercial landlord, and a breach of contract case. The case against the commercial landlord became case law when Chancellor Howell Peoples ruled that the Tennessee Landlord Tenant Act applies to commercial as well as residential leases.

This fall I have a civil jury trial set as sole counsel against Hamilton County Board of Education, Durham School Services, L.P, National Express, L.L.C., and Alexander Rodriguez for the injuries sustained by my minor client and her family when the child's bus driver committed aggravated statutory rape against her. The bus driver has already pled guilty in Criminal Court.

I feel competent based on my experiences, to preside as a Judge over all kinds of jury trials because of the wide variety of jury trials I have had. I have firsthand experience in the jury selection process, in making opening statements, in directing and cross examining witnesses, in making evidentiary objections and defending against same, and in making closing arguments. I have firsthand experience in preparing jury instructions, participating in voir dire examinations

during trial, and motions in limine.

My general litigation practice consists of varied types of cases to include not only the jury trials referenced above, but also several boundary dispute cases, several sexual harassment cases, several collection cases, several private nuisance cases, several probates, and several conservatorships.

I have a good foundational grasp of the procedural and evidentiary rules.

I also practice family law and have a keen interest in this area. Fifty percent of Hamilton County Circuit Court cases concern domestic issues. I have successfully utilized my skills as a family law mediator to assist my clients in cases as a “mediator friendly” attorney, where emotional stress can be avoided through a successful mediation.

I was responsible through the assistance of Chancellor Frank Brown for the implementation of Local Rule 10.06 regarding family law mediation. More specifically, as a mediator, I was finding that the parties were appearing for mediation without having exchanged asset and liability statements as well as income and expense statements. This did not facilitate the mediation process. Accordingly, Rule 10.06 now requires that the parties exchange this information prior to the mediation. They are also required to exchange proposed parenting plans.

My family law practice ranges from new divorces involving assets, liabilities, alimony, and children, to those where litigants are coming back before the Circuit Court for modification or contempt. I also have been an attorney in prosecuting and in defending termination of parental rights and adoption cases. I have also served as guardian ad litem where I was appointed by the Circuit Court to represent children in highly litigious cases. I further have been involved in the prosecution and the defense of orders of protection cases.

For those members of the Commission who are not familiar with family law, it can be quite technical and has a lot of moving parts. There are not only forms that must be complied with concerning insurance, the division of assets and debts, and income and expenses, but also parenting. The parenting plans require knowing how to calculate the number of days each parent has and knowing how to calculate the child support on the child support worksheet. Anyone who has not had experience in domestic law that is seeking this appointment is going to find that fifty percent, as already noted, of the cases that will come before them are domestic.

In terms of my work habits, I am an extremely hard worker. I generally start work around 5:00 am on regular work days and 3:00 am if I have a trial that day. I will break around 7:30 am to get my son ready for school. I then prepare to go to Court or my office. I generally work until 5:30 pm, when I pick my son up to begin the task of dinner, and spending quality time with him. My son, Shiloh, is nine years old and has a mild case of Down Syndrome, so I try to play reading games with him after work or we swing on the front porch. See, letter of recommendation written by John Farrimond, President and CEO of Siskin Children’s Institute, to be provided.

On Friday afternoons and Saturday mornings, I take Shiloh to private speech lessons. Afterwards, we usually get ice cream.

On Sundays, I take my son to church along with a once homeless man I befriended several years ago who was standing on a street corner holding a sign up asking for money. As it turned out, this individual was a sixty-seven year old Veteran who did not have enough money to eat, let alone obtain housing for himself. I was able to help him get more funds coming in through

Social Security, and was also able to find him government housing. I facilitated him receiving a necessary surgical procedure that he had been needing for quite some time. After church, I will take my friend to go pick up groceries and then take him home. See, letter of recommendation written by Charles Brooks, Jr. enclosed.

I usually work on Sunday afternoons to get ready for the work week, between three to four hours. I am not afraid of hard work and prefer to be prepared and on top of things. If I am appointed, I will plan on going into my office in the courthouse to review all the files that are to come up the following week.

I have had my law practice since 1992. This has not been easy considering the economic collapse in 2008, that I was self-funded when I ran for Circuit Court Judge, Division I, in 2013, and went through a divorce from Shiloh's father, thus losing the benefit of his income and insurance coverage. I feel uniquely qualified because of my real life experiences in addition to my legal experience to preside over Circuit Court, Division IV.

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

See, response to Number 7 above regarding the Tennessee Landlord Tenant Act ruling and promulgation of Local Rule 10.06 regarding Family Law Mediation.

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

I served as Special Judge in Circuit Court, Division I, for Judge Robert Summitt when special judges were used. I have also served as Special Judge in the Chattanooga City Court for Judge Russell Bean and Sherry Paty. I have presided over 60-65 dockets. I have also served as Special Judge in General Sessions Civil Court twice. I believe the experience of sitting as a Special Judge as well as serving as a mediator in hundreds of cases makes me uniquely qualified and competent for this appointment.

I have developed the skill to be able to listen to competing parties while processing and weighing the legalities of their claims. I have also learned how to be firm, but polite when dealing with antagonistic attorneys and parties. The Court is the guardian of the judicial process. He or she must make sure the evidence is presented in an orderly manner, without turning into an antagonist themselves.

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

February 2010 for Chancellor Howell People's vacancy.

**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.

Girls' Preparatory School, Chattanooga, Tennessee 1978

Samford University, Birmingham, Alabama, 1978-1979. I transferred to Baylor University to pursue a Broadcast Journalism Degree.

Baylor University, Bachelor of Arts – Major in Broadcast Journalism, Waco, Texas, 1979-1982. Alpha Epsilon Rho National Broadcasting Society, President and Student of the Year, 1982.

Samford University's Cumberland School of Law J.D., Birmingham, Alabama, 1985-1988. Donald E. Corley Mock Trial Competition, 1987 Semi-Finalist. Justice Janey Shore's Appellate Court Argument, 1986 Semi Finalist. Judge James Haley Trial Competition 1986, Moot Court Board 1991-1992. Pro Confesso, Editor in Chief. Phi Alpha Delta Legal Fraternity, President and International Chapter Champion 1992. Outstanding Young Woman of America Designation. Who's Who Among Students in American Universities (one of twenty students nominated by Cumberland School of Law).

**PERSONAL INFORMATION**

12. State your date of birth.

April 4, 1960. I am 57 years old.

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

I was born and raised in Chattanooga, Tennessee. I returned to Chattanooga upon completion of law school and have resided here since 1988.

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

See, response to Number 13 above.

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

Hamilton 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.

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.

Not applicable.

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.

Not applicable.

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.

The practice of family law implicitly involves dealing with individuals who are angry and ready to strike out against anyone they perceive to be a threat, even their own attorney. A review of my history report reveals that the last complaint filed against me by a client was over ten years ago. Please note, all the complaints were dismissed and deemed unfounded. What the Commission needs to be aware of is the fact that every single one of these Complaints were filed in retaliation because I simply wanted to be paid for the services I rendered and for the bill that had been incurred. When my malpractice carrier advised me to stop collection efforts against my clients that owed me money because inevitably it caused a complaint to be filed, I did as they advised. As a result of that, no more complaints. Note, there was a complaint that was filed against me in November of 2007 by an opposing party because he was upset the Court ruled against him and in favor of my client. That complaint was obviously dismissed.

There have been no complaints filed against me either by a client or an opposing party since 2007. To the extent that this history report may imply that I am a difficult and litigious person to deal with, the Commission is requested to take into consideration my explanation of what happened and the actions I have subsequently taken. It should also be noted that none of these individuals sued me for malpractice because no malpractice was ever committed.

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.

Due to the fact that the economy collapsed in 2008, that I was self-funded in my campaign for Circuit Court, Division I, in 2013, and then I suffered a divorce, thus losing the benefit of my husband's income and insurance coverage, finances did result in my inability to pay for my Yellow Page ad and on a credit card that had a balance of approximately \$2,000.00. I am pleased to state that I have been making payments on the Yellow Page ad debt, and was able to completely pay off the credit card debt, resulting in a nonsuit.

21. Have you ever filed bankruptcy (including personally or as part of any partnership, LLC, corporation, or other business organization)?

Not applicable.

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.

Personal divorce, White v. White, Circuit Court of Hamilton County, Tennessee, Docket No. 94-DR-1376, July 28, 1994 (Irreconcilable differences, no children).

Personal divorce, White v. O'Kelley, Circuit Court of Hamilton County, Tennessee, Docket No. 01-D-379, May 4, 2001 (Irreconcilable differences, one child).

Class Action Suit, Hartman, et al v. Albright, Civil Action No. 77-2019-JR, United States District Court of the District of Columbia. I received a judgment as a class action member. This was one of the largest class action suits for discrimination against the U.S. Information Agency.

Personal divorce, White v. Robertson, Chancery Court of Hamilton County, Tennessee, Docket No. 15-0671, July 28, 2016 (Irreconcilable differences, one child).

Please note to the extent that I have unfortunately had the experience of three unsuccessful marriages, this by no means reflects who I am as an individual and should not be used against me. I am not a difficult spouse, but I do work many, many long hours which have kept me away from my family. In all three divorces, the cases were uncontested and the experiences gave me, if anything, an understanding of what it feels like to go through a divorce. I can bring to the bench more insight, empathy, and understanding for the difficulties the parties are facing. As noted before, fifty percent of Hamilton County's Circuit Court cases are domestic cases. Additionally, my ex-husband, Mr. Robertson, prepared and has submitted a letter of support for me, which I hope the Commission will take into consideration. See, enclosed.



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.

Hamilton County Republican Women, currently serving as the Corresponding Secretary since 2015  
Hamilton County Pachyderm Club  
Daughters of the American Revolution  
Siskin Children's Institute, Program Committee Board Member 2013-2015  
I attend church at The Ministry Center.

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.

Not applicable.

### 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.

Chattanooga Bar Association, current member.

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.

2010 Chancery Court, Appointment

2014 Circuit Court, Elective

**ESSAYS/PERSONAL STATEMENTS**

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

I have always wanted to be a Judge. I applied for an appointment to Chancery Court in 2010 and then ran for Circuit Court Judge, Division I. Hopefully, three times is a charm.

I want to serve and give back to the community in this way. I feel that it is my calling, and I do not take seeking this position lightly as it is a very serious job which requires someone who knows what they are doing and can be even tempered, yet firm at the same time.

I believe that having successfully represented hundreds of clients, mediated hundreds of cases, sat as Special Judge 60-65 times, and as the mother of two, I have successfully mastered the skill of active listening, patience, and being even tempered, even when faced with antagonistic individuals. I know I can bring experience to the bench and impact it in a positive way.

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 seek to preside over Division IV in the 11<sup>th</sup> Judicial District. Hamilton County is 542 square miles, has nine voting districts, and a population of 336,463. Out of 3,942 cases filed in Circuit Court over thirty-one months, fifty percent were domestic, forty-three percent were damage/tort, and seven percent were contract/debt.

There are four Circuit Court Judges. All the Judges, their staff, and the Clerks already know me. I am on a first name basis. I am in Circuit Court almost daily, either filing documents or appearing in Court. I am also an acquaintance of Larry Henry, the Circuit Court Clerk, through our involvement with the Republican Party.

I would get to work making sure my caseload was processed quickly, efficiently, and properly. I would make a good addition to the team.

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)*

As Supreme Court Justice, Neil Gorsuch, stated during his confirmation hearing, his function is to uphold the law, so that if the law is not a good one, the legislators are the proper individuals to

change it, not him. I agree. A Judge has a sworn duty to enforce the law, not change the law. In my civil case, where I am representing the minor child and her family arising out of her aggravated statutory rape by the school bus driver, I observed the Criminal Court Judge placing the bus driver on probation. The Judge commented that he understood the citizens might wonder why this man was going to be seemingly given a light sentence, but the Judge pointed out that the mandatory guidelines that he was required to follow called for the probation as opposed to continued incarceration. The Judge carried out his duty even though unpopular, and so will I.

**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. Pat Brown
B. Dr. Charlotte B. Boatwright <span style="float: right;">1</span>
C. Ida Cotter
D. Greg Martin
E. Leslie McWilliams

**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 Hamilton County Circuit Court of Tennessee, Division IV, 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 21, 2017.

Catherine M. Ude  
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.

Catherine M. White  
Type or Print Name

Catherine M. White  
Signature

July 21, 2017  
Date

013458  
BPR #

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

Georgia, Bar No. 752990

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