

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

04/15/16

Name: John H. Richardson, Jr.

Office Address: 306 Main Avenue N, Fayetteville, TN 37334  
(including county)

Office Phone: 931-433-5919 Facsimile: 931-433-5317

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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.

Sole Practitioner with the firm of McCown, Richardson and McCown, an Association of Attorneys.

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

I was licensed to practice law in 2000 and my Board of Professional Responsibility Number is 20518.

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 20518. Date of licensure was April 27, 2000, and my license is currently 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. I have never been denied admission to, suspended or placed on inactive status by the Bar of this State or any other 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).

My professional experience since my graduation from law school has been as a sole practitioner for seven (7) plus years. On March 20, 2008, I associated with Mr. Mike McCown and Susan McCown in the firm of McCown, Richardson and McCown.

While attending Law School at the Nashville School of Law I worked as an affiliate broker, broker and insurance agent with J. Paul Richardson and Son Real Estate and Insurance. This is my family's real estate and insurance business which was opened in 1939 by my grandfather J. Paul Richardson.

Prior to working in the family business I was employed for one (1) year by Jody Faison as a restaurant

manager for Faison's restaurant located in Hillsboro Village in Nashville, Tennessee. I worked as a manager at Faison's and Iguana, both owned by Mr. Faison. I also oversaw liquor control and ordering for Mr. Faison's other restaurants at the time.

While attending the University of Tennessee, Knoxville I was employed as a server and supervisor for the Copper Cellar Corporation from 1991 - 1994. I worked at Calhoun's on the River during this time period.

As a teenager in Lincoln County I grew up helping work real estate auctions and in high school I worked as a life guard at the Fayetteville Golf and Country Club. I also mowed ten (10) to fifteen (15) yards each summer to earn money, as well as working on my family's farm. In addition I would cut wood to sell in the winter to make money.

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 presently have a general law practice which I enjoy. I practice in several areas of the law and have found this to be best in the community in which I live.

The major areas of law which I practice and their percentages are as follows:

- a. Family Law/Domestic Relations – 25%
- b. Criminal Law - 20%
- c. Real Estate Law - including title work, real estate closings, boundary line disputes, landlord tenant law and foreclosures and injunctions - 20%
- d. Estate Planning and Probate - 20%
- e. Insurance Defense Personal Injury - 5%
- f. Business Law - 5%
- g. Civil litigation of different issues in General Sessions, Chancery and Circuit Court - 5%

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 has been a good, broad and wide reaching experience mainly in the General Sessions, Juvenile, Chancery and Circuit Courts over the last seventeen (17) years. I have tried many different cases in each of these courts before different judges and feel I have learned something from each and every case I have tried and/or settled for my clients. I have handled several criminal appeals and post conviction relief actions over the years and have argued before the Court of Appeals regarding a boundary line issue.

In addition to this I perform transactional work for private clients, including several banks, which includes real estate matters. I perform transactional work such as forming Limited Liability Companies, drafting contracts, leases, real estate closings, 501 (c)(3) applications and the drafting of Wills and Powers of Attorney.

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

I sincerely try to do the best possible job I can for each and every one of my clients in every case I handle. I attempt to try and take special note of my clients' needs and wishes in all cases and strive to make sure I treat all people (attorneys, judges, clerks and the opposing side) with respect and integrity.

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

I have been blessed to be asked to speak on occasion to students at Motlow State Community College about the practice of law and the legal field and have really enjoyed being able to share my experiences with young people and encourage them. I feel it is important to encourage our youth and have found it rewarding to be asked to speak. I have served as counsel for Junior's House, a Child Advocacy Center, for several years and have enjoyed performing pro-bono work for Junior's House, which has been very rewarding. Junior's House helps families and children suffering from domestic and sexual abuse who are truly in need of assistance and who have no other avenue to obtain assistance.

I have also served as Special Judge on many occasions over the past seventeen (17) years at the request of Lincoln County General Sessions Judges Charles Crawford and N. Andy Myrick. I have presided over Juvenile cases, General Sessions cases and Civil cases and have found these experiences have helped me grow as an advocate and attorney. Sitting as Special Judge has required a significant amount of responsibility and a true sense of fairness for all people who have appeared before me as Judge. I have personally found the experience to be humbling. I have also learned while serving as Special Judge that one must be available to law enforcement at all hours of the day and night, which I fully understand and appreciate.

I have also had the privilege of working with the Clerks and Court Officers in all four (4) Counties in the 17th Judicial District and I have worked well with them all. I am very familiar with Chancellor Cox and Judge Durard as I practice often before them. I feel I would be able to work easily and well with both Chancellor Cox, Judge Durard, their staff and all of the Clerks and Deputy Clerks, as I have a good working relationship with them all.

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

I have never before submitted a judicial application.

### 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 - August of 1995 - May of 1999. Graduated and received Doctor of Jurisprudence.

University of Tennessee, Knoxville - August of 1989 - December of 1993. Graduated and received a Bachelor of Arts degree. Majored in Psychology.

Motlow State Community College - June of 1989 - July/August of 1989 and June of 1990 - July/August 1990. I attended Motlow State Community College prior to my freshman year at the University of Tennessee and took English 101. I attended Motlow State Community College again the summer before my sophomore year at the University of Tennessee and took English Literature. Both of these class credits were transferred to the University of Tennessee.

I believe each of the schools I attended broadened my education and helped me grow, both by exposing me to new ideas and knowledge and to a broader sampling of people from other areas and backgrounds. Each of the schools were unique and each offered a quality education. The variety and different perspectives from each school was good and each has benefited me.

### PERSONAL INFORMATION

12. State your date of birth.

December 2, 1970.

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

Forty - six (46) years.

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

Twenty - two (22) years.

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

Lincoln 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.

N/A

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.

N/A - I have never pled guilty or been convicted, and I am not on diversion for any violation of law, regulation or ordinance.

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 federal, state or local agency for a possible violation of a criminal statute or disciplinary rule

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, a tax lien or other collection procedure has not been instituted against me by any federal, state or local authority or creditor in the last five (5) years.

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

No, I have never filed bankruptcy of any kind.

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.

I have been involved as the Petitioner in the following cases:

I. John H. Richardson Jr. v. Thomas Harold Bullington Jr.

Docket number - GS-13-CV-571

Date of Case: August 27, 2013 - Filed

First Court Date - August 30, 2013

The case was one where I filed for an Order of Protection against my uncle as he had repeatedly made threats against me and my family. The Order of Protection was granted and Mr. Bullington violated said Order of Protection several times and has been convicted and incarcerated several times for said violations. The Order of Protection has been extended several times, most recently the Order of Protection was extended on September 25, 2015 for a ten (10) year period until September 25, 2025.

2. John H. Richardson Jr. v. David McGough

Docket number - I5CV649

Date of Case - October 13, 2015

This case was a small claims case which I filed in an attempt to collect my attorney's fees. Mr. McGough sought my assistance regarding a property line issue that he considered urgent. I advised that I would gladly help him, research his matter and send correspondence to the opposing party. I further agreed with Mr. McGough that I would keep my time and bill him monthly at my normal hourly rate which he agreed to. When I later billed him he refused to pay anything for my services. Therefore, I filed a claim in small claims court and obtained a judgment.

3. State of Tennessee v. Gaylon Birdsong

Docket number – BC070125

Date of Case - June 21, 2007

Mr. Birdsong retained me to represent him in a case in General Sessions Court. He signed a contract and paid my fee with a check and I represented him. Mr. Birdsong's check was returned as same was written on a "Closed" account. I contacted Mr. Birdsong and he ignored my request to make good on the check and I pursued the matter as a bad check. I did eventually received payment with the Court's and the D.A.'s assistance.

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 Baptist Church - Fayetteville, TN

Fabulous 50's Show and Cast - a group of people who, for two weekends each spring, put on a show to raise money which (100%) goes to benefit cancer patients and their families in Lincoln County and surrounding counties through the Multi County Cancer Support Network. I sing and dance in this show and have for the last eleven (11) years.

Falcon Football Club - football booster club at Lincoln County High School. I held the office of President in 2013/2014 and remain involved.

Falcon Basketball Booster Club - I presently hold the office of President.

Lincoln County Education Association - I am currently working with the Lincoln County Director of Schools, Dr. Bill Heath, to organize this public benefit 501(c)3 that will benefit the students and education system of Lincoln County.

Fayetteville Elks Lodge - I am a current member of the Elks Lodge; however, I do not hold an office and have not held an office in the past.

Pee-Wee, Prep, Little League and Travel Baseball coach for my son's baseball teams over a period of thirteen (13) years.

Recreational League Soccer coach for my son's and daughter's soccer teams for several years.

AAU Travel Basketball coach for my daughter's AAU Basketball team for three (3) years.

I am presently working with the Fellowship of Christian Athletes, the Lincoln County Superintendent of Schools and other community leaders to help start a Fellowship of Christian Athletes group within the Lincoln County School system.



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.

I am an active member of the Lincoln County Bar Association and have held the title of President of the Lincoln County Bar since on or about 2001 until present.

I have helped organize bar meetings and local continuing education seminars with the Circuit Court Clerk and Clerk and Master and help get information out to members of the local bar as needed.

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.

I have been voted "Best Attorney" in Fayetteville/Lincoln County in the years 2009, 2010, 2014 and 2017. This honor is bestowed upon a recipient annually through a survey for "Fayetteville/Lincoln County's Finest," answered by the subscribers and readers of the Elk Valley Times, our local newspaper.

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 held or run for any public office.

**ESSAYS/PERSONAL STATEMENTS**

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

I am at a point in my life and my law practice where I sincerely feel I can do a good job for the people of the 17th Judicial District as one of their Circuit Judges. I have been in private practice now for over 17 years and have experience in many different areas of the law which I feel is very necessary and important when seeking this position. I strive to always treat others with respect and sincerely want to be fair and help all people. I would truly embrace the challenge of becoming Circuit Judge if given the opportunity and would work hard to do the best job I can. I also feel that I am at a point in my life and my practice where I am capable of handling this challenge.

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 am seeking the Judgeship of Circuit Judge for the 17th Judicial District, which includes the counties of Lincoln, Bedford, Moore and Marshall. This District has two Circuit Judges and one Chancellor. The types of cases this judgeship handles includes a broad range of both civil and criminal cases. Cases include divorce, custody, child support enforcement, post divorce, civil litigation of different kinds, murder, burglary, theft, robbery, sex crimes, alcohol related crimes and sentencing for criminal matters after a conviction.

In my 17 years of practice I have represented clients in criminal and civil matters. I have tried criminal cases before a jury, have represented clients in sentencing hearings, robberies, thefts, burglaries, alcohol related crimes and sex crimes. I also have experience in civil litigation, domestic relations, child support and real property litigation. I have practiced and tried cases in each of the four counties in the 17th Judicial District.

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, I will uphold the law even if I disagree with the substance of the law. The law is not about allowing any individual to pursue their own personal agenda. In order to effectively serve in the position of Circuit Judge one must be able to place their personal feelings aside, objectively listen to the facts and rule on the issues and apply the law correctly. Serving in the role of Circuit Judge requires humility and fair judgment for all.

The example that comes to mind is the many criminal cases I have been involved in over the years, wherein I may have sincerely felt my client might be guilty. I have always worked hard to develop my clients' cases and have argued my clients' cases knowing that the State must prove their case beyond a reasonable doubt and should the State fail, my client will be acquitted.

In addition to this, I have always been disturbed by victims of child sexual abuse being compelled to sit in the courtroom with the accused/abuser to identify him/her and testify in open court. I recognize and

appreciate the right of the accused to confront their accuser; however, it bothers me to see children traumatized by the courtroom experience. I have asked myself if I have the resolve to zealously represent an accused sex offender given this concern, and I feel I could and would follow the law and do my duty despite my personal misgivings.

**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. David Craig

B. Whitney Stevens

C. N. Andy Myrick, Jr.

D. W. Michael McCown

E. Marv Iane Porter

**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 17<sup>th</sup> 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 30, 20 17.

  
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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.

John H. Richardson, Jr.  
Type or Print Name

  
Signature

8/30/17  
Date

20518  
BPR #

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

Tennessee Department of Commerce & Insurance

Administration:

Real Estate Broker - License ID - 252307

Insurance Agent- License ID - 0759516