

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

9/8/20

Name: _____ Esther Lois Roberts _____

Office Address: _____ 400 Main Street, M-69, Knoxville (Knox), TN 37902 _____
(including county) _____

Office Phone: _____ (865) 215-2146 _____ Facsimile: _____ (865) 215-3566 _____

Email Address: _____ [REDACTED] _____

Home Address: _____ [REDACTED] Knoxville (Knox), TN 37924 _____
(including county) _____

Home Phone: _____ [REDACTED] _____ Cellular Phone: _____ [REDACTED] _____

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 Microsoft Word 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 Microsoft Word 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 ceesha.lofton@tncourts.gov, or via another digital storage device such as a flash drive. See section 1(g) of the application instructions for additional information related to hand-delivery of application packages.

THIS APPLICATION IS OPEN TO PUBLIC INSPECTION AFTER YOU SUBMIT IT.

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Judicial Law Clerk, Knox County General Sessions Court.

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

2001. TN BPR #021666

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.

Oklahoma. #19205. 2001; active.

Tennessee. #021666. 2001; active.

The United States Patent and Trademark Office. USPTO ID: #53172. 2002; active.

The Supreme Court of the United States. SCOTUS ID: Esther Lois Roberts. 2004; 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).

Professional or business employment/experience since the completion of my legal education:

September 2019 – current: Judicial Law Clerk, Knox County General Sessions Court. 400 Main Street, Knoxville, TN 37902.

- Provide real-time legal research and multi-functional legal assistance to all five Knox County General Sessions Judges on a daily basis. Court matters include misdemeanor offenses, alcohol/drug related offenses, felony offenses, traffic offenses, felony preliminary hearings, bonded arraignments, and civil matters under \$25,000. Job duties

also include: preparing the annual budget draft for the Knox County General Sessions Judiciary each fiscal year, serving as Mediation Director for all General Sessions mediations, and serving as court liaison with various community support service providers, including alcohol/drug treatment programs, homeless/eviction programs, and related matters.

December 2011 – current: Chief Executive Officer and Intellectual Property Attorney, Global Intellectual Property Asset Management, PLLC. 8216 Strawberry Plains Pike, Knoxville, TN 37924.

- Provide legal services to private clients in the areas of patent prosecution, trademark prosecution, copyrights, licensing and technology transfer matters.

April – December 2011: Shareholder, Pitts, Lake & Bell, P.C. P. O. Box 51295, Knoxville, TN 37950.

- Shareholder duties included employment policy formation and implementation, oversight of firm real property management and maintenance, and management of designated staff. Intellectual property attorney duties included all areas of intellectual property prosecution.

June 2001 – April 2011: Patent Attorney, The United States Department of Energy. Primary duty station: Oak Ridge, Tennessee. U.S. DOE, P. O. Box 2001, Oak Ridge, TN 37831.

Primary service areas: Oak Ridge National Laboratory, Y-12 Nuclear Weapons Complex, Savannah River National Laboratory.

Temporary detail service: Office of the General Counsel, National Nuclear Security Administration, Washington, D.C.

- Patent prosecution and related intellectual property matters; Licensing/technology transfer of DOE technologies to U.S. companies and foreign corporations; Contract review and negotiation; Policy formation for matters regarding intellectual property; Litigation Counsel for DOE for security matters, classified and unclassified; Litigation Counsel for NNSA for certain nuclear matters; NNSA General Counsel Attorney Delegate to NNSA nuclear air fleet insurance procurement subcommittee; NNSA Staff Attorney regarding international transfer of certain nuclear materials.

Description of any occupation, business, or profession other than the practice of law in which you have ever been engaged:

2010-2016: Adjunct Professor, University of Tennessee College of Law. 1505 W. Cumberland Avenue, Knoxville, TN 37996.

- Visiting Professor, Trademark Clinical Program (2016). Managed and taught all aspects of trademark clinical studies.
- Adjunct Professor (2010-2016). Taught Interviewing and Counseling.

January 2016 – February 2020: Staff Musician, St. Mark's United Methodist Church. 252 N. Main Street, Clinton, TN 37716.

- Pianist and accompanist.

1991-2000. Roberts Piano Studio, Knoxville, TN

- Private piano instructor.

1990-1991. Music Professor/Staff Accompanist, Roane State Community College, Harriman, TN.

- Taught music theory, music appreciation, class piano, private piano; staff accompanist for the Roane State Singers and various faculty and student musicians.

1989-1990. Piano Instructor/Staff Accompanist, Cadek Conservatory of Music, The University of Tennessee at Chattanooga.

- Taught traditional and Suzuki piano students; staff accompanist for various faculty and student musicians.

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.

As the Judicial Law Clerk for Knox County General Sessions Court, my areas of practice include civil dispute research (30%), statutory research regarding jurisdiction, statutes of limitation and similar (20%), ongoing compliance with Tennessee Supreme Court Order ADM2020-00428 (30%), and civil mediation oversight (20%).

As an intellectual property attorney in private practice, my areas of practice include patent prosecution (25%), trademark prosecution (50%), copyrights (15%), and licensing/technology transfer matters (10%).

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 career to date, I have served as counsel of record for numerous litigation matters, including U.S. Department of Energy (DOE) security related matters, patent infringement matters, trademark infringement matters, copyright matters, and contract disputes. I have also served as counsel of record for various intellectual property disputes, contract disputes and estate disputes that have been resolved via negotiated settlement prior to any lawsuit being filed.

With respect to DOE security matters, I was DOE counsel for twenty-four (24) administrative hearings regarding security matters, including two classified matters. These

administrative hearings are conducted so as to conform as closely as reasonably possible to open court litigation while protecting national security. The hearings include opening and closing statements, sworn testimony including direct and cross-examination, submission of evidence, and authorized transcripts via the presence of a court reporter with the appropriate security clearance; the federal rules of evidence are waived.

The cases covering non-classified matters included use of illegal substances, bankruptcy, falsification, misrepresentation, mental illness, incapacity, alcohol use, alcohol dependence and/or abuse, substance dependence and/or abuse, pornography viewing in the workplace, vehicular homicide and fraud.

The classified matters fell under 10 CFR 710.8(g): “[Failure] to protect classified matter, or safeguard special nuclear material; or violated or disregarded security or safeguards regulations to a degree which would be inconsistent with the national security; or disclosed classified information to a person unauthorized to receive such information; or violated or disregarded regulations, procedures, or guidelines pertaining to classified or sensitive information technology systems.”

In all of the above-referenced cases, DOE Security provided records and evidence sufficient to support prosecution of the relevant case. Upon receipt of these records and evidence, I conducted all additional research, witness interviews, evidence gathering, and related trial preparation, including appropriate correspondence and interaction with opposing counsel, when relevant. I conducted direct and cross-examination, as appropriate, of all persons providing testimony. In the rare instance of appeal, I reviewed the case, determined DOE’s position relative to the appeal response, and prepared the appellate response.

My work on the above-referenced matters encompassed the Oak Ridge National Laboratory, the Y-12 Nuclear Weapons Complex, the USEC Gaseous Diffusion Plant in Paducah, Kentucky, the USEC Gaseous Diffusion Plant in Portsmouth, Ohio, and the DOE Headquarters in Washington, D.C. With respect to non-security matters, my service area included the Oak Ridge National Laboratory, the Y-12 Nuclear Weapons Complex, the Office of Scientific and Technical Information (OSTI), the Savannah River National Laboratory in Aiken, South Carolina, and a short-term detail to the National Nuclear Security Administration Office of General Counsel (NNSA/OGC), Washington, D.C.

While detailed to NNSA/OGC, I negotiated a favorable settlement for a longstanding litigation matter involving a former contractor employee. I also participated on a subcommittee to review NNSA’s air fleet insurance and, if possible, obtain lower-cost insurance. In my role as NNSA/OGC attorney delegate to the subcommittee, I provided legal input with respect to Federal Aviation Administration (FAA) insurance requirements, particularly with respect to the unique air fleet and cargo involved with NNSA. The subcommittee was successful in crafting an FAA-compliant policy that resulted in a \$1.2 million per annum cost savings in insurance premiums. In addition, I provided legal counsel in certain classified matters regarding transport and import of certain nuclear materials.

With respect to non-security matters, I have been counsel of record in numerous intellectual property matters, including successful prosecution of numerous United States patents to date and numerous patent applications currently in-process with the United States Patent and Trademark Office (USPTO). Aside from my first two patent applications, which my DOE supervising attorney reviewed and edited prior to submission to the USPTO, all other patent prosecution work has been my own work without assistance or oversight.

Patent application preparation is a detailed and protracted process, and a successful intellectual property attorney must be able to communicate effectively with USPTO patent examiners as well as inventors of all types, from first-time inventors to consummate experts in the relevant field of inventive art. Patent prosecution demands precise language skills to accurately and adequately describe the inventive concept so as to have a patent issue based solely upon the descriptive language and accompanying drawings.

I have worked extensively in the area of copyrights with the United States Copyright Office (USCO). This work includes copyright registrations, infringement matters, licensing, royalties, fair use, educational use, and related areas of U.S. copyright law. My scope of experience includes literary works of all media types, sound recordings, two-dimensional and three-dimensional art, entertainment matters, internet matters, computer programs, and various other matters related to copyrights.

I have worked extensively in the area of trademarks with the USPTO. This work includes trademark registrations, infringement matters, licensing and royalties. My scope of experience includes prosecuting trademarks of all types.

My experience with negotiating, drafting, and implementing licenses is extensive, both within the federal government and for private sector clients. These licenses range from individual trademark licenses between a private party and a small business for a modest monthly royalty, to multi-million dollar patent portfolio licenses between the United States government and foreign-owned businesses. In all licensing negotiations, the process requires diplomacy, delicacy, and extreme sensitivity to the concepts of equity and fairness. With regard to licenses involving the United States, it is outside the permissible scope of such negotiations to work in isolation, thus, I have served as lead intellectual property counsel on a government negotiating team. With regard to licenses not involved the federal government, I have worked independently or in collaboration with additional attorneys, as circumstances required.

My experience with transactional matters such as contracts, cooperative research and development agreements (CRADAs), Work for Others agreements, and related matters is extensive. With respect to CRADAs and Work for Others, as a federal employee, I provided oversight for intellectual property protections within the relevant transactional vehicle. With respect to contracts for private sector clients, my experience includes negotiation, drafting, and/or editing entire documents as required. Further, I have advised clients with respect to contract interpretation and conflict resolution. These transactional matters have covered a broad range of issues, from acquisitions of existing businesses, to business formation, mergers, exit strategies and succession planning.

Based upon private sector client requests, I have also prepared several wills, trusts, living wills, and durable powers of attorney. I have served as counsel in Knox County Probate Court on various complex estate matters.

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

While serving as Security Counsel for DOE, one of the classified matters involved DOE's Office of General Counsel (OGC) in Washington, D.C. Because of this, all OGC staff were conflicted out of the matter and an attorney from a field office was required to serve as DOE counsel. Based upon knowledge of my prior service, the Office of Hearings and Appeals (OHA)

specifically requested I be assigned as DOE Counsel for this case. OHA noted particularly in making the request: my integrity with respect to the national security and appropriate handling of classified matters; my insightful yet respectful examination and cross-examination skills; my capacity for producing exemplary work within constricted time and budget parameters; my discretion with regard to political sensitivities; and my overall capabilities as an attorney.

DOE prevailed in this case, as well as twenty other cases where I served as DOE Counsel.

Federal Security Clearance: Q/SCI. Status: currently in abeyance.

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

2017-current: Annual recipient of Tennessee Supreme Court Access to Justice Award for providing *pro bono* legal services to various individuals and nonprofit organizations each year.

2016-2019: Guardian ad litem, by appointment, Knox County Juvenile Court. Represented minors in dependency and neglect matters.

2013: Certification - Tennessee Rule 31 Mediator. Status: active.

Summer 2000: Summer Intern to Chief Justice Hardy Summers, The Supreme Court of the State of Oklahoma. Conduct legal research on various United States laws and Native American laws as requested by the Chief Justice.

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

October 2012: I submitted an application for a Tennessee Court of Appeals position. There were numerous applicants; I was eliminated in round four of voting.

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.

The University of Tennessee College of Law, Knoxville, TN
Dates of attendance: 1998-2001

Degree awarded: Juris Doctor *cum laude*

Recognition/Awards:

Academic Excellence Award: *Jurisprudence*

Academic Excellence Award: *Law and Literature*

Academic Excellence Award: *Law and Theater*

Summer Law Clerk: The Honorable Chief Justice Hardy Summers, The Supreme Court of the State of Oklahoma

Research Assistant: Williford Gragg Distinguished Professor of Law Joseph Cook

Case Note Publication: *Jordan v. Baptist Three Rivers Hospital*, 67 TENN L. REV. 475 (2000)

Student Materials Editor, *Tennessee Law Review*

Recipient: Judge Louis Kirby Matherne Scholarship

Student Member: American Inns of Court, Hamilton Burnett Chapter

The University of Tennessee, Knoxville, TN

Dates of attendance: 1987-1989

Degree awarded: Master of Music, Piano Pedagogy and Literature *high honors*

Recognition/Awards:

Graduate Teaching Assistant to Patricia Carter-Zagorski

Recipient: Florence Lothman Dorn Scholarship

The University of Tennessee, Knoxville, TN

Dates of attendance: 1983-1986

Degrees concurrently awarded:

Bachelor of Arts, Biology *honors*

Bachelor of Arts, Botany *honors*

Bachelor of Music, Piano Literature and Pedagogy *honors*

Recognition/Awards:

Competition Winner: Sigma Alpha Iota Instrumentalist

Recipient (multiple years): Florence Lothman Dorn Scholarship

Recipient: Colonel H. S. Lockett Scholarship

Roane State Community College, Harriman, TN

Dates of attendance: 1979-1982

Degrees awarded:

1982 Associate of Arts, Piano Performance

1981 Associate of Science, General Sciences

Recognition/Awards:

Recipient (multiple years): Academic Achievement Scholarship

Recipient: Humanities Award

Recipient: Outstanding Sophomore Musician Award

PERSONAL INFORMATION

12. State your date of birth.

1961.

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

I have lived continuously in the State of Tennessee for fifty-nine (59) years with two brief exceptions: for three months in 2000 I resided temporarily in Oklahoma City, Oklahoma; for two months in 2003 I resided temporarily in Washington, D.C.

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

I have lived continuously in Knox County, Tennessee for twenty-eight (28) years with two brief exceptions: for three months in 2000 I resided temporarily in Oklahoma City, Oklahoma; for two months in 2003 I resided temporarily in Washington, D.C.

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

I am registered to vote in Knox 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.

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; four minor traffic offenses (1978, Rockwood, TN, speeding, paid ticket; 1997, Knox County, TN, speeding, paid ticket; 2007, Sevier County, TN, speeding, paid ticket; 2011, Anderson County, TN, failure to stop, paid ticket.)

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. You may wish to request a report from the appropriate supervisory authority (or authorities) for a complete history.

Zero.

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.

Date	Court/Docket Number	Disposition
11.2.87	Knox County/45046	Divorce (06.07.81 marriage) My former husband, James Edward Brunton, filed for divorce. I did not contest the matter.
11.2.88	Knox County/45046	Order modifying Final Decree I chose to return to my birth surname, Esther Lois Hughes.
9.27.94	Knox County/77059	Judgment Satisfaction My car was struck from behind and I received a judgment against the other driver,

Mr. Saia, on 1.31.91. He was, however, judgment-proof and the judgment went unpaid. In mid-1994, Mr. Saia contacted me and asked to settle the matter so as to not have an outstanding judgment against him. As I had traded the vehicle by that point in time, I opted to forgive the judgment, and signed appropriate documents to that effect, thus closing the matter on 07.27.1994.

11.13.96 Knox County/132208 Order of Name Change

Having remarried on 12.22.89, my surname was "Broerman" from 12.22.89 until 11.13.96, when I petitioned, and was granted, a surname change to reflect my maternal grandmother's surname, "Roberts." This was done in anticipation of terminating my second marriage. I did not return to my birth surname, "Hughes," due to long-standing dissatisfaction with my birth father's lifestyle and his abuse of my person when a young child.

10.13.97 Knox County/77082 Divorce (12.22.89 marriage)

My former husband, Eric Christian Broerman, and I decided to amicably end our marriage. We remain cordial social acquaintances. Mr. Broerman will verify this; he may be reached at 865.386.8759.

03.08.16 Knox County/191192-1 Order of Name Change

Having remarried on 08.22.09, my surname was "Bell" from shortly after the marriage until 03.08.16, when I petitioned, and was granted, a surname change to reflect my maternal grandmother's surname, "Roberts." This was done in anticipation of terminating my third marriage.

04.09.18 Knox County/195254-1 Divorce (08.22.09 marriage)

My former husband, Gregory Allen Bell, and I decided to amicably end our marriage. We remain cordial social acquaintances. Mr. Bell will verify this; he may be reached at 865.389.6208.

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.

International Conference of Police Chaplains.
Knoxville Police Department Chaplain Corps.
United States Dressage Federation.
Western Dressage Association of America.
American Quarter Horse Association.
Arabian Horse Association.
American Indian Horse Registry.
American Mustang & Burro Association, Inc.
National Walking Horse Association.

Knoxville Music Study Club.
Daughters of the American Revolution.
Fifth Church of Christ, Scientist, Oklahoma City, Oklahoma.
The First Church of Christ, Scientist, Boston, Massachusetts.
Knox County Beekeepers Association.
Blount County Beekeepers Association.

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.

Yes.

- a. Daughters of the American Revolution www.dar.org "a non-profit, women's organization for the descendants of individuals who aided in achieving American independence."
- b. If nominated and selected, I am willing to resign from the DAR and withdraw from any participation in their activities.

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.

Tennessee Bar Association: 2001 – present
Oklahoma Bar Association: 2001 – present
American Bar Association: 2001 – present
United States Patent and Trademark Bar: 2002 – present
Supreme Court of the United States Bar: 2004 – present
Knoxville Bar Association: 2001 – present
- member, Continuing Legal Education committee
- member, Publications committee
American Inns of Court, Hamilton Burnett Chapter: 2000 – present
2018-2019: President Emeritus
2017-2018: President

2016-2017: Vice President
2015-2016: Secretary/Treasurer
2014-2015: Administrator
2013-2014: Hospitality Coordinator
2012-2013: Reporter

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 Supreme Court Access to Justice Award, annually, 2017-currently, for providing *pro bono* legal services to individuals and nonprofit organizations.

Martindale-Hubble "AV Preeminent" rating, 2015-currently, for ethical standards and legal ability.

United States Department of Energy Performance Merit Award: For successful negotiation of a license between the United States Department of Energy and Toyota Motor Engineering & Manufacturing *North America*, Inc. (TEMA) for hydrogen storage technology transfer between Savannah River National Laboratory and TEMA.

United States Department of Energy citation to personnel file: For outstanding service to the citizens of the United States with regard to litigation of certain classified security matters.

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.

None, other than my application for the Tennessee Court of Appeals in 2012. *See* answer to question 10, *supra*.

ESSAYS/PERSONAL STATEMENTS

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

I desire to serve the people of Knox County as Chancellor so I can give back to my community in a significant and substantial way. Throughout my adult life and professional career, I have been blessed by many different individuals – from judges to janitors – who have been mentors and friends. Thanks to state-funded institutions, I have obtained a quality education in various fields including music, the sciences, and the law. Two decades of professional opportunities, including federal, private, and county employment, have honed my legal skills to the point where I feel I can be of use to others as a competent and objective jurist. It would be my great honor to serve as Chancellor in Knox County, and I ask you to consider my candidacy favorably. Thank you.

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 serve as Chancellor for Knox County. Knox County Chancery Court, Chancery Division, is comprised of three Chancellors. Chancery Division hears a variety of civil matters, including, but not limited to: contract disputes, property boundary disputes, adoptions, legitimation actions, divorces, name changes, trustee appointments/removals, conservatorships and guardianships.

My selection would impact the Chancery Court in several ways. With two decades of legal experience, I bring to the position a breadth of practical knowledge in various civil matters. My service to the local bench, bar, and community has resulted in my present reputation for integrity, intelligence, compassion, and unflagging hard work. I am a quick study and adaptable, as evidenced by my steadfast service to Knox County General Sessions Court throughout the myriad disruptions caused by COVID-19. And Knox County has no female Chancellor at present, so my appointment would help balance community/gender representation within Knox County Chancery 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, I will uphold the law even if I disagree with the substance of the law.

In accord with 10 CFR 710.8(l), a person's eligibility for access to classified matter or special nuclear material (*i.e.*, "security clearance") may be withdrawn under certain circumstances, including a pattern of financial irresponsibility. While employed by the Department of Energy (DOE) and serving as DOE Counsel for security related matters, a certain case arose that is relevant to this question.

A contractor employee with more than two decades' experience, including valuable specialized expertise, filed for bankruptcy in Kentucky. In the course of a non-marital relationship, the employee had provided access to her personal finances to her beau; the relationship failed and, at that point, the employee became aware that her entire financial portfolio had been emaciated, thus she initiated bankruptcy proceedings.

Upon my review of this case, I determined the risk of successful coercion and/or blackmail of this employee to be minimal. I would have preferred to save the U.S. government the costs of prosecuting the matter; however, in accord with the relevant statutes, I recommended the matter be elevated to the administrative hearing phase.

At the hearing, the employee presented a substantial record of timely payments on each account covered by the bankruptcy, thus her security clearance was reinstated. While DOE "lost" this case for statistical purposes, from a practical perspective both DOE and the employee prevailed, as DOE was able to continue benefitting from this employee's specialized training, experience and corporate knowledge.

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. The Honorable Geoffrey Emery, Knox County General Sessions Court, [REDACTED] Knoxville, TN 37902. [REDACTED]
B. The Honorable Suzanne Bauknight, United States Bankruptcy Court, [REDACTED] Suite 330, Knoxville, TN 37902. [REDACTED]
C. Judy Cornett, College of Law Distinguished Professor, University of Tennessee College of Law [REDACTED] Knoxville, TN 37996. ([REDACTED])
D. Eric Martin, D.V.M. University of Tennessee College of Veterinary Medicine, [REDACTED] [REDACTED] Knoxville, TN 37996. ([REDACTED])
E. Mrs. Arthur [Doris] Grayson, [REDACTED] Knoxville, TN 37919. [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 [Court] Chancery Court for Knox County, 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: _____ September 26, 2020.

_____/Esther L. Roberts/_____
Signature

When completed, return this questionnaire to Ceesha Lofton, 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.

Esther Lois Roberts

Type or Print Name

_____/Esther L. Roberts/_____
Signature

Date

BPR #

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

Oklahoma Bar 19205 _____

United States Patent and Trademark Office 53172 _____

The Supreme Court of the United States: _____

Esther Lois Roberts _____
