


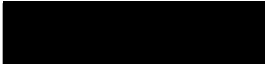
Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office


1/31/19

Name: Rebecca Brady
Office Address: 600 Hearthwood Ct, Cookeville TN 38506
(including county) Putnam County

Office Phone: 931-646-3000 Facsimile: 931-526-1665

Email Address: 

Home Address:  Baxter TN 38544
(including county) Putnam County

Cellular Phone: 

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 ceesha.lofton@tncourts.gov, or via another digital storage device such as a flash drive.

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

PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

Assistant General Counsel, State of Tennessee, Department of Children's Services

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

2007, 026213

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, 026213

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).

I was in solo private practice from 2007 until 2013. My practice consisted of criminal defense, family practice and juvenile court practice.

Since 2013, I have been in my current position with the Department of Children's Services.

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 file cases involving the dependency and neglect of children and handle them from the time of the filing of the Petition until the case closes. I also file Petitions for Termination of Parental Rights and handle those cases for their entirety. Juvenile practice is 100% of my current total 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.

During my time as a solo practitioner, I handled criminal defense (both appointed and retained cases), juvenile court cases (as both a parents' attorney and GAL) and family practice cases including divorce, custody, termination of parental rights and adoptions. I practiced regularly in General Sessions Criminal Court handling misdemeanor pleas and preliminary hearings and in Criminal Court handling pleas, motions and trials. I tried two criminal cases in front a jury in Criminal Court. I tried divorce and custody cases on a regular basis in Chancery Court. I had trials involving dependency and neglect cases on a regular basis in Juvenile Court. In my current practice, I am exclusively in Juvenile Court and Circuit court and I participate in hearings/trials consistently. I try dependency and neglect cases in Juvenile Court, dependency and neglect appeals in Circuit Court, and Termination of Parental Rights cases in Juvenile and Circuit Court.

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

During my time in private practice, I handled the trials and appeals of four post-conviction cases, all of which were murder cases. Since being with the State, I have never tried a case that has been overturned by the Court of Appeals and have never lost a trial for the Termination of Parental Rights.

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.

In 2017, I applied for a position as a United States Magistrate in the Eastern District of

Tennessee.

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.

Tennessee Technological University – May 1987 to May 1999 – Bachelor of Science
Nashville School of Law – August 2003 to May 2007 – Doctor of Jurisprudence, Fourth year scholarship and Moot Court competition team.

PERSONAL INFORMATION

12. State your date of birth.

██████████ 1969

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

49 years

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

49 years

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

Putnam

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

I have had two complaints filed against me with the Board of Professional Responsibility. Both were dismissed.

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)?

Yes, in 1994.

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.

In 1994 I was a party to a divorce, Putnam County Chancery Court #94-677

I was sued by a creditor in 2012, Putnam County General Sessions Court #1801C11

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.

Not applicable.

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.

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.

Putnam County Bar Association, 2007 to present

Upper Cumberland Young Lawyers Association 2007 to 2014

Upper Cumberland Lawyers Association of Women 2017 to present

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.

Not applicable.

ESSAYS/PERSONAL STATEMENTS

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

I am seeking this position because I believe that I can be an excellent judge. I believe that my past trial experience has prepared me for this position and my knowledge of the relevant Rules and Statutes is very good. As an attorney who has not practiced in the private sector for six years, I would have fewer conflicts regarding current defendants than someone who is currently representing criminal defendants. Most importantly, women are currently underrepresented in the judiciary of our State at almost every level. I would like to be a part of a more well-balanced court system and be a good example for young female lawyers who look to the courts for guidance. I would love to see this administration make the commitment to appointing more women to 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)*

I am seeking the position of Criminal Court Judge for the Thirteenth Judicial District of Tennessee which handles criminal cases as well as misdemeanor appeals from the General Sessions Courts. This position covers seven counties of the Upper Cumberland: Clay, Cumberland, DeKalb, Overton, Pickett, Putnam and White. There are two Criminal Court Judges in this Judicial District who handle a total of approximately 4,000 cases per year. My selection would bring the perspective of a juvenile court practitioner to the bench along with the perspective of a previous defense attorney. Criminal Court Judges typically come from the District Attorney's office and my past experience would bring balance to that background knowledge.

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 a judge, part of the job is following the law even though one may disagree with the substance of the law on any issue. A judge is an impartial party, sworn to uphold the laws of our State, regardless of any personal feelings on the matter.

In my years with the Department of Children's Services, I've had ample opportunity to see things that I find personally abhorrent. I've spent my last six years trying to protect the health and safety of our State's most vulnerable citizens. But in any given situation, my personal feelings on the case are irrelevant. My job is to use the laws as they exist to successfully maneuver a case into the position desired by my client.

In my daily practice, I am often asked to return children to parents who have committed acts of abuse against their children. While I may personally believe that those parents should never again be given a second chance to parent their children, I must follow the law and the policies of the Department and return children to situations that I find risky at best. While I may disagree with the Department's position, it is my job to act in accordance with the Department's intended purpose and reunite children with their families, regardless of my own 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. Jill Marsee, Assistant General Counsel – DCS, [REDACTED] Cookeville TN 38506
[REDACTED]

B. Tiffany Gentry-Gipson, General Sessions Judge, [REDACTED] Gainesboro TN 38562
[REDACTED]

C. Joel Henry, Lead Investigator, [REDACTED] Cookeville TN 38506, [REDACTED]

D. Deborah Anderson, Legal Assistant, [REDACTED] Cookeville TN 38506
[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 Criminal Court of the Thirteenth 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: April 15, 2019.


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.

Rebecca Brady

Rebecca Brady

Signature

4-15-19

Date

26213

BPR #

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