

Tennessee Trial Court Vacancy Commission
Application for Nomination to Judicial Office

1/17/23

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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 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. Your complete application, including both the original and digital copies, must be received by the Administrative Office of the Courts on or before the deadline prescribed in the Notice of Vacancy. 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.

I work as an assistant public defender for the Thirteenth Judicial District of Tennessee. I also work part-time as an adjunct professor of law in the Business Department at Tennessee Technological University.

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

2008 – B.P.R. No. 027401

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.

I am only licensed in Tennessee. I am also admitted to and have practiced in the following federal courts:

U.S. District Court for the Middle District of Tennessee – December 2008 – Active

U.S. Bankruptcy Court for the Middle District of Tennessee – December 2008 – Active

U.S. District Court for the Eastern District of Tennessee – April 2009 – Active

U.S. Bankruptcy Court for the Eastern District of Tennessee – April 2009 – 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).

Since September 1, 2014, I have worked as an assistant public defender for the Thirteenth Judicial District. As noted above, I also work part-time as an adjunct professor of law at Tennessee Technological University.

From October 1, 2012, through August 31, 2014, I was employed by the Tennessee Department of Labor and Workforce Development, Division of Workers' Compensation, in its Cookeville office as a workers' compensation mediator.

Between June and October 2012, I worked briefly as an associate attorney with Cookeville Injury Law, PLLC.

From November 1, 2008, until June 2012, I worked as an associate attorney with the Law Office of David Day, P.C., in Cookeville. I remained with the firm until Mr. Day took a sabbatical from the practice of law to spend several years doing mission work abroad.

From August to November 2008, during the period between sitting for the bar exam and accepting the position with Mr. Day, I worked for Wesley Thomas Bray & Associates in Cookeville as a law clerk. I also clerked for the Bray firm in the summer of 2007 while in law school. In the summer of 2006, I clerked for the Legal Aid Society of Middle Tennessee and the Cumberland in Cookeville.

While attending the University of Tennessee College of Law from 2005 to 2008, I worked as a graduate student research assistant for several law professors.

After graduating from the University of the South in May 2005 but prior to beginning law school, I spent the summer working as an intern at the District Attorney's Office for the Thirteenth Judicial District.

I also worked during college at Sewanee. From August 2002 until my graduation in May 2005, I worked first as a residential computer consultant and later as one of two head residential computer consultants for the University, responsible for managing a campus-wide, dormitory-based technical support program for fellow students. I spent my summer breaks back home in Cookeville, providing technology consulting services to Acuff & Acuff, P.C., in 2002, and working on assembly lines as a temporary employee for Fleetguard, Inc. (now Cummins Filtration) in 2003 and Tutco, Inc., in 2004.

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.

My practice is devoted to indigent criminal defense.

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 divides into three categories.

Private practice, November 2008 to October 2012. Immediately after being licensed, I went to work for the Law Office of David Day, P.C., a small law firm in Cookeville. My practice was entirely civil and devoted primarily to civil litigation, though I did some transactional real estate work as well.

With respect to litigation, the majority of my cases involved plaintiffs' claims in personal injury and workers' compensation, as well as creditors' rights in bankruptcy. The majority of my time was spent on complex plaintiffs' legal malpractice litigation. Though the office never had more than a handful of these cases active at once, they generally involved numerous parties and voluminous discovery, and they were litigated in a variety of jurisdictions, including state, district, and bankruptcy courts.

My responsibilities in all of these types of cases ran the gamut, including client management, drafting and responding to pleadings, taking depositions, and trial work. I participated in my first trial in March 2009, when I had been licensed less than six months. I first argued before the Tennessee Court of Appeals in September 2009, and I continued to do appellate work for the office from that time until leaving private practice.

Because of our location in the Upper Cumberland, our firm handled cases across both East and Middle Tennessee. I was involved in cases in state court from Greene County in the east to Williamson County in the west, and from Macon County in the north to Hamilton County in the south. I also participated in federal litigation in both the Middle and Eastern Districts of Tennessee, and I handled cases before the Tennessee Claims Commission.

In workers' compensation matters, I represented injured employees working through the alternative dispute resolution process then in place at the Division of Workers' Compensation, as well as before state trial courts.

Our firm represented Farm Credit Services of Mid-America and First Volunteer Bank locally. I assisted with title work and did real estate closings for both. We also handled special accounts cases involving foreclosures and bankruptcies. I conducted foreclosure sales throughout the Upper Cumberland, and I pursued creditors' claims in bankruptcy, including appearing at meetings of creditors and in bankruptcy court.

Workers' compensation mediator, October 2012 to September 2014. I left private practice at the end of September 2012 to accept a position as a mediator with the Division of Workers' Compensation (now the Bureau of Workers' Compensation). During my time in that role, I mediated hundreds of workers' compensation disputes related to medical and disability benefits, involving both represented and *pro se* parties. I received extensive training as a third-party dispute resolution neutral. After the passage of the 2014 workers' compensation reform

legislation, I helped write the original version of a beginner's guide for *pro se* parties attempting to navigate the claims process, which, in its newest version, still appears on the Bureau's website.

Assistant public defender, September 2014 to present. Since leaving the Department of Labor, I have worked as an assistant public defender for the Thirteenth Judicial District. I currently serve as counsel for our office in Putnam and Cumberland Counties, the two most populous counties in the Thirteenth. Because our office operates on a vertical representation model, I represent clients at all levels of court, from initial appearance in general sessions through exhaustion of the appellate process. Though my primary assignment has always been Putnam County, I have appeared in six of the seven counties in the district.

With respect to my caseload, I have handled nearly 8,000 cases according to our case management software. These cases have involved offenses ranging from the mundane to the most serious under Tennessee law.

I have represented a dozen defendants charged with first degree murder in Clay, DeKalb, Putnam, and White Counties, including serving as counsel for one defendant against whom the State has given notice of intent to seek imprisonment for life without the possibility of parole. I tried two of these cases to verdict. I have provided legal research and trial preparation assistance for other attorneys in the office in several other murder cases. I have represented numerous defendants charged with serious violent or sexual offenses, including rape of a child, especially aggravated kidnapping, and vehicular homicide.

In addition to these types of offense, I have tried charges ranging from simple assault to aggravated burglary to felony drug and firearms possession. I have conducted innumerable preliminary hearings, probation violation hearings, motion hearings, and sentencing hearings. I have also participated in the Thirteenth Judicial District Recovery Court on behalf of the Public Defender's Office on an as-needed basis.

Representing clients charged with serious felony offenses has required me to work with many different expert witnesses and investigators retained via court authorization. Their fields of expertise have included forensic pathology, psychiatry, digital forensics, and blood spatter analysis, among others. I have conducted both direct and cross-examinations at trial of experts in many of these fields, including one memorable examination of an expert witness for the State who I walked through dusting a pistol magazine for fingerprints live in front of a jury.

With respect to appeals, prior to the creation of the District Public Defenders Conference Appellate Division, I had primary responsibility for appeals handled by our office, including both briefing and oral argument. Since the creation of the Appellate Division, I have continued to pursue some appeals myself on a case-by-case basis.

On rare occasions, I have also been asked by the bench to handle specific post-conviction matters, typically involving complicated legal issues. Again, this has included representation of clients in these matters at both the trial and appellate levels.

Beyond my work representing clients, I gave a presentation on trial skills at the Public Defenders Conference's annual continuing legal education seminar in 2022 and have been asked to return in 2023.

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

Brandt v. Weyant, et al., 437 B.R. 294 (M.D. Tenn. Bkrcty 2010). In this complex adversary proceeding in Middle District bankruptcy court, co-counsel and I represented a career Army helicopter pilot in claims for fraud and legal malpractice against a dozen or so parties. The critical legal issue in the case was whether our client's various claims were time barred. I briefed and argued cross-motions for summary judgment filed by all parties. Those motions resulted in this reported opinion, holding that the Servicemembers' Civil Relief Act of 2003, 50 U.S.C.A. § 526(a), mandates the tolling of all statutes of limitations both for and against career military servicemembers during the entire period of their military service regardless of deployment status. This ruling ultimately resulted in aggregate settlements and judgments in favor of our client in excess of \$1.6m.

State v. Jensen, 2017 WL 367093 (Tenn. Crim. App. Aug. 25, 2017), *vacated and remanded*, M2016-01553-SC-R10-CD (Tenn. Dec. 8, 2017). This was a Rule 10 interlocutory appeal pursued by the State after I successfully argued a motion to dismiss one count of an indictment on due process and fundamental fairness grounds in the trial court. The case involved a repeat shoplifter at Walmart who had been banned from the store and then had another shoplifting incident. The State initially indicted and tried only the shoplifting charge, resulting in a mistrial after the jury failed to return a verdict. After the mistrial, the State superseded the shoplifting indictment to add a burglary charge, on the theory that the defendant's prior ban from Walmart deprived her of consent to return to its premises. I sought dismissal of the burglary count, arguing that the State had violated my client's rights to due process and fundamental fairness by adding the burglary count to the indictment after she had already tried her case once. The trial court agreed, dismissing the burglary count and also denying the State's request for a Rule 9 interlocutory appeal. The Court of Criminal Appeals then granted a Rule 10 appeal over my objection. It affirmed and expanded on the trial court's ruling, holding that any attempt to charge repeat shoplifters with burglary violated due process. That ruling lasted less than four months before the Supreme Court accepted the State's Rule 11 application. Then, in the same order accepting the application, the Court found that the Rule 10 appeal was improvidently granted, vacated the judgment from the Court of Criminal Appeals, dismissed the appeal, and remanded the case to the trial court, effectively returning us to the position we had occupied before the appeal began. For me personally, this was a memorable case not only for the tortuous procedural wrangling that ultimately secured the dismissal of a felony for my client, but also because I was able to argue the case on appeal at Belmont University College of Law as part of the Tennessee Supreme Court's SCALES project and, afterward, to participate in a panel discussion for law students with opposing counsel and members of the Court of Criminal Appeals.

Taylor v. State, 2020 WL 7491084 (Tenn. Crim. App. Dec. 21, 2020). This was a post-

conviction case involving a juvenile offender sentenced to life imprisonment after being convicted of first-degree murder for killing her mother in 1996. After the United States Supreme Court's decisions in *Miller v. Alabama*, 567 U.S. 460 (2012), and *Montgomery v. Louisiana*, 136 S.Ct. 718 (2016), the petitioner sought post-conviction relief *pro se*, arguing that her sentence—60 years to be served at 85% release eligibility, pursuant to Tenn. Code Ann. § 40-35-501—amounted to an effective mandatory sentence of life without parole and was thus unconstitutional under *Miller* because she was a minor at the time of the offense. The trial court appointed me to make the argument and pursue the appeal. Though I lost the appeal on statute of limitations grounds (the Court of Criminal Appeals found the *pro se* petition untimely, as it was filed after *Montgomery* rather than after *Miller*), the relief I proposed was later adopted by the Tennessee Supreme Court in *State v. Booker*, 656 S.W.3d 49 (Tenn. 2022). This was another notable oral argument for me, both for occurring in July 2020 at the height of the COVID-19 pandemic and for having been livestreamed on YouTube.

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

Since joining the Public Defender's Office, I have devoted part of my time annually to legal education and outreach for young people. This began with an invitation to serve as a guest speaker at American Legion Boys State in 2015. That first year, another attorney and I spent a few hours with rising high school seniors discussing a case that would be argued as part of the SCALES project at Boys State the following day. My role expanded the next year to include leading a half-day seminar on the structure of Tennessee's judicial department and court system. I have continued volunteering for Boys State since and look forward to it every spring.

In addition to this, since 2017, I have served as an instructor and coach for Putnam County middle school students participating in an annual "Fairy Tale Trial" mock trial competition.

Finally and most recently, in January 2023, I joined the Business Department at Tennessee Technological University as an adjunct faculty member. This past semester, I taught a survey course for undergraduate junior and senior business students. Topics included civil and criminal procedure, alternative dispute resolution, torts, intellectual property, business organizations, agency, contracts, and the Uniform Commercial Code.

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

None.

EDUCATION

11. List each college, law school, and other graduate school which you have attended, including dates of attendance, degree awarded, major, any form of recognition or other aspects of your education you believe are relevant, and your reason for leaving each school if no degree was awarded.

University of the South, Sewanee, Tennessee – August 2001 to May 2005. I received a bachelor of arts in anthropology, *summa cum laude* and with departmental honors, from Sewanee in 2005. I attended Sewanee on academic merit scholarships, as both a Wilkins Scholar and a National Merit Scholar. I earned membership in the Order of Gownsmen and Phi Beta Kappa academic honors societies after my freshman year. I was chair of the Activities Fee Committee (responsible for allocation and distribution of the activities fee assessed with tuition), a member of the Student Assembly and the Student Constitution Review Committee, and an inaugural member of the Senior Alumni Leadership Council. Upon graduation, I was awarded the E.G. Richmond Prize for Social Science, given annually to the graduating senior with the best record in political science, economics, and anthropology. As a senior, I was invited by my academic advisor to contribute as an author to a book she was editing. This work was published as “Tunica-Biloxi,” by Benjamin D. Marsee, *The New Encyclopedia of Southern Culture*, vol. 6, *Ethnicity*, Charles Wilson, gen. ed., Celeste Ray, vol. ed. (University of North Carolina Press 2007).

University of Tennessee College of Law, Knoxville, Tennessee – August 2005 to May 2008. I received a doctor of jurisprudence, *magna cum laude* and with a concentration in advocacy and dispute resolution, from the University of Tennessee College of Law in 2008. I attended law school on an academic merit-based graduate assistant scholarship. While in law school, I received awards for outstanding achievement in trial practice and in negotiations and dispute resolution, worked with UT Pro Bono, served as a member of UT Law’s mediation clinic, and was granted membership in Phi Kappa Phi.

PERSONAL INFORMATION

12. State your date of birth.

██████████ 1982

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

I have lived in Tennessee all my life.

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

My permanent address has always been in Putnam County. In college, I lived in Franklin County when school was in session, and while in law school, I lived in Knox County.

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

Putnam 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.

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.

One. I was the subject of a show cause order in the U.S. District Court for the Eastern District of Tennessee in Chattanooga in 2011 after e-filing a series of documents incorrectly. No adverse action resulted, and the matter was sealed by the court.

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.

No, other than as outlined in response to Question 19 above.

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.

Current Organizations

Prescott South Middle School Academic Team – assistant coach, 2021 to present

Prescott South Musical Theatre Program Parent-Teacher Organization

Putnam County Republican Party

Tennessee Farm Bureau

Past Organizations

Cookeville Breakfast Rotary Club – 2008 to 2012. Director of communications and board member, 2009-10. Paul Harris Fellow.

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.

Upper Cumberland Young Lawyers Association – 2007 to 2017. I was a founding member of this organization while still in law school.

Tennessee Bar Association – 2008 to 2012, 2017 to present

Tennessee Association of Criminal Defense Lawyers – 2014 to present

National Association of Criminal Defense Lawyers – 2017 to present

National Association for Public Defense – 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.

Alumnus, Deryl Dantzler Trial Practice Institute of the National Criminal Defense College. NCDC's Trial Practice Institute is a competitive-admission, two-week-long trial skills program for criminal defense practitioners. I was selected to attend and completed this program in July 2017.

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.

This is the first time I have sought public office.

ESSAYS/PERSONAL STATEMENTS

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

My parents divorced in 1988. At their trial, the only contested issue was child custody. The trial judge made what had to be an unusual decision at the time and awarded primary custody to my father. Afterward, my mother moved to Chattanooga. My brothers and I remained in Cookeville, where I would eventually meet my wife and start a family.

Through my career in the law, I have come to realize that this one decision by a trial judge shaped the course of my life. I believe in public service and our system of justice, but I know that trial judges matter. We all deserve judges of integrity, who understand that their decisions reverberate in the lives of the people they serve, sometimes for generations.

I am seeking this office because of my deep respect for Tennessee's criminal justice system and because of my equal respect for the lives of the people it affects, both defendants and victims of crime.

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)*

Part III of the Criminal Court will share jurisdiction over criminal cases in the Thirteenth District. This district is the largest in Tennessee by number of counties and second largest by area. Ensuring access to justice for residents of all seven counties in the district has been a major challenge for our criminal courts. With some counties holding court less than once a month, delayed resolutions for both defendants and victims have sometimes been unavoidable.

My work across the entire district at the Public Defender's Office has made me keenly aware of this issue. My strong work ethic, extensive experience managing a high case volume, and ability to work amiably and efficiently with everyone involved in the court system position me well to help solve the problem.

The appointee to this office will stand for election in a March 5 primary. I am prepared to be a candidate in that election.

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)*

Upholding the law under all circumstances, regardless of personal beliefs, is the basic function of the judiciary.

As an assistant public defender, I have often been tasked with representing defendants accused

of the most reprehensible conduct imaginable. When dealing with these cases, my job demands that I set my personal feelings aside and provide the most zealous defense available under the law. To do less would be to make myself complicit in denying my clients the rights to due process and the assistance of counsel that are the cornerstones of our justice system.

To give just one example, in 2017, two other attorneys and I tried a first-degree murder case in Clay County. Our client was accused of killing his girlfriend, dismembering her body, and then burying the pieces in his backyard. The proof was overwhelming, including not only physical evidence but a confession to both the homicide and the dismemberment. Knowing full well that our client had admitted to doing the unthinkable, we fought the State tooth and nail for a week to convince the jury to convict on a lesser included offense. We lost in the end, but despite that, our client wrote letters to each of us thanking us for how hard we fought on his behalf.

Our criminal justice system is at its best when all of its components—judges, prosecutors, defense attorneys—are fully committed to their roles. I have demonstrated this commitment as a public defender. I would be equally committed as a judge.

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.

<p>A. David Patterson Attorney at Law Crabtree & Patterson Retired Criminal Court Judge for the Thirteenth Judicial District [REDACTED] Cookeville, TN 38501 [REDACTED]</p>
<p>B. Beth Willis Assistant District Attorney General Office of the District Attorney General for the Thirteenth Judicial District [REDACTED] Cookeville, TN 38501 [REDACTED]</p>
<p>C. Walter S. "Pat" Fitzpatrick III Attorney at Law Chaffin Fitzpatrick Pinson [REDACTED] Cookeville, TN 38501 [REDACTED]</p>
<p>D. Alma Anderson Principal, Avery Trace Middle School Board of Directors, Cookeville Regional Medical Center [REDACTED] Cookeville, TN 38501 [REDACTED]</p>
<p>E. David Andrews Andrews Investigative Services Member, Putnam County Commission Retired Sheriff of Putnam County [REDACTED] [REDACTED] [REDACTED] Cookeville, TN 38501 [REDACTED]</p>

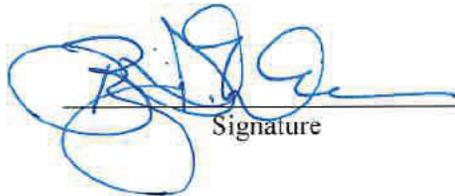
AFFIRMATION CONCERNING APPLICATION

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, Part III, for 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: June 6, 2023.



Signature

When completed, return this questionnaire to John Jefferson at the 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.

Benjamin D. Marsee
Type or Print Name


Signature

June 6, 2023
Date

027401
BPR #

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