Tennessee Trial Court Vacancy Commission Application for Nomination to Judicial Office

1/17/23

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<u>INTRODUCTION</u>

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.

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PROFESSIONAL BACKGROUND AND WORK EXPERIENCE

1. State your present employment.

I presently own and operate Mincy Law, PLLC.

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

I was licensed in Tennessee in 2011. My Board of Professional Responsibility number is 030266.

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 have only sought licensure from Tennessee. My license has been active and in good standing since admission in 2011.

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 any 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).

Since completing my legal education in May, 2011, I have practiced exclusively and continuously in litigation. I worked as an associate at Speek, Webb, Turner, and Newkirk from October, 2011 until October, 2019. I worked with McColpin and Coffman, PLLC from October, 2019 until March, 2021. I opened Mincy Law, PLLC in March, 2021 and have operated continuously since that time. I became a Rule 31 listed mediator in 2018. I did not seek renewal of my listing to focus on my litigation practice.

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.

The nature of my present law practice is focused primarily on family law and related matters, including divorces, child custody litigation, prenuptial and postnuptial agreements, dependency and neglect, and grandparents' visitation. I also occasionally take criminal and delinquency cases. I estimate my practice is, at present, over 95% family law and less than 5% criminal and delinquency work.

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.

Generally, my experience over the past thirteen (13) years began broadly and became more specialized. I have been in various courts regularly for the entirety of my practice. During my time as an associate with Speek, Webb, Turner, and Newkirk, I was regularly in Criminal and General Sessions Court, and traveled out of county for cases in surrounding jurisdictions. I have appeared in at least nine (9) counties throughout Southeast Tennessee. Initially, the bulk of my assigned workload was focused on their criminal defense clients, but I also handled a wide variety of matters including divorce and custody cases, civil forfeiture hearings, administrative disciplinary actions at the State level, and appeals in Chancery Court for denial of permits. I have litigated conservatorships and will contests. I also took on appointed work, including presenting a first-degree murder case to a jury within the first two (2) years of my licensure, and have been appointed in a multitude of criminal, child support contempt, dependency and neglect cases, terminations of parental rights and juvenile transfer hearings. I have a range of experience including arguing before both the Court of Appeals and the Court of Criminal Appeals and participating in administrative hearings with Child Support Services. With such a broad experience base, I found family law work to be the most fulfilling and decided to dedicate my private practice to specializing in that field. I recently obtained board certification as a Family Trial Advocate by the National Board of Trial Advocacy. I still regularly accept judicial appointments as a Guardian ad Litem and as indigent representation in Circuit and Juvenile Court and do not seek payment from the Administrative Office of the Courts.

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

I am a firm believer that my most successful and special cases are the ones where I was able to obtain a resolution outside of litigation, as I recognize the emotional cost of litigation to my clients. For matters that could not be resolved through negotiation and strong litigation strategy, I am especially proud of the work I performed in resolving a file for a client with minor children and an overly litigious ex-husband, giving peace to the minor children and my client after years of constant filings. The Court of Appeals upheld the trial court's order in its entirety and, after the opinion was released, and in response to my Motion to Dismiss and Declare an Abusive

Civil Action, the opposing party dismissed his latest filing in the trial court. He has not refiled in the past three (3) years. The relief knowing that my litigation acumen and advocacy helped resolve years of contentiousness between these parents for these minor children is a special note in my career.

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

I have volunteered for the Hamilton County Recovery Court for the past five (5) years as a member of an interdisciplinary team consisting of judges, district attorneys, defense attorneys, county probation, Chattanooga Police Department, clinicians, and case managers. Prior to joining the team, I took cases *pro bono* for participants regarding custody and visitation with their children. I now conduct monthly "office hours" with the participants to assist with their family law issues and goals of re-establishing relationships in their recovery with their children and families. I currently attend staffing and docket on Monday afternoons, in addition to other team events and trainings yearly. I also work with other attorneys to place participants in need of individualized representation with appropriate volunteers in the community. These types of accountability courts can truly change lives for the better by merging the public health system with the criminal justice system, as well as reduce economic impacts of crime and recidivism, and I am so grateful to get to be a small part of it.

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

I have never previously submitted an application for any judicial position.

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 2007 - May 2011, *Juris Doctorate*. I received the Moot Court Award, Cooper's Inn recognition, and was ranked third (3rd) in my class of 74. I also received the Corrine Brazzell Arney and Honorable Charles Gibson scholarships during my attendance.

Louisiana State University: August 2001 – December 2005, *Bachelor of Arts*, *Communication Studies*. I received the National Merit Scholarship, was a member of Zeta Tau Alpha, the Homecoming Committee, and a founding member of the women's club ultimate frisbee team.

PERSONAL INFORMATION

12. State your date of birth.

My date of birth is 1983.

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

I have maintained residency in Tennessee since birth, only leaving the state for my undergraduate degree.

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

I was born and raised in Hamilton County, Tennessee, and have lived here continuously since birth, with the sole exceptions of pursuing my undergraduate degree in Louisiana and six (6) months in Nashville in 2010 during my legal education. I commuted to Nashville from Chattanooga for the majority of my time at Nashville School of Law, and commuted from Nashville to Chattanooga for employment during my short time residing in Nashville.

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

Hamilton County, Tennessee.

16. Describe your military service, if applicable, including branch of service, dates of active duty, rank at separation, and decorations, honors, or achievements. Please also state whether you received an honorable discharge and, if not, describe why not.

Not applicable.

17. Have you ever pled guilty or been convicted or are now on diversion for violation of any law, regulation or ordinance other than minor traffic offenses? If so, state the approximate date, charge and disposition of the case.

No, I have never pled guilty or been convicted of any violation of any law, regulation, or ordinance other than minor traffic offenses. I am also diversion eligible and not currently on a diversion plea, nor have I ever been charged with any such qualifying offense.

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 have never been under federal, state, or local investigation for possible violation of a criminal statute or disciplinary rule, with the sole exception of board complaints in my litigation practice, discussed in my response to question 19 below.

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 responded to two (2) formal complaints with the Board of Professional Responsibility in my thirteen (13) years of heavy litigation practice and appointed work. Early in my practice, I accepted a divorce action for a victim of domestic abuse. Upon the husband's release from custody on his criminal charges, he came to my office with a purported Power of Attorney demanding to speak with me about the pending divorce litigation. I refused. A complaint was filed and dismissed. Recently, a party who I was not appointed to represent filed a complaint against me and various others involved in the termination of his parental rights. I responded the same day I received the complaint. This complaint is so recent that the investigation remains open at the time of this application and no conclusion has been made regarding my limited conduct. I will update the committee upon disposition and release any information regarding this complaint that does not conflict with this party's right to confidentiality.

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, I have never been subject to any tax liens. In the interests of full disclosure, the only potential "collection procedure" responsive to this question involves a recently received balance due notice on my 2023 federal tax return. My 2021 federal tax return was flagged by the IRS for further identity verification. Because the 2021 return contained an overpayment being applied to subsequent years, I received a balance due notice from the IRS since the 2021 return has not formally "posted" in their system. Thus, the 2021 overpayment has not yet carried forward to future years to satisfy the balance due. I have engaged Johnson, Hickey, & Murchison, P.C. CPAs since 2021 and they are working to resolve this issue with the IRS on my behalf. I was advised by the IRS that I must wait nine (9) weeks for processing my identity verification which I completed January 7, 2025. I am working diligently to resolve this issue within the time limitations of the IRS, but am unable to take any further actions until their processing period elapses. There are no other potential "collection procedures" instituted and I maintain an excellent credit rating.

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 personally, as part of any partnership, LLC, corporation, or through any business organization.

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.

Yes, I was divorced on the grounds of irreconcilable differences by order entered February 23, 2011, in the Circuit Court for Hamilton County, Tennessee, Docket Number 10D1810. I have never been a party to any other proceedings.

23. List all organizations other than professional associations to which you have belonged within the last five (5) years, including civic, charitable, religious, educational, social and fraternal organizations. Give the titles and dates of any offices which you have held in such organizations.

Hamilton County Recovery Court, private defense counsel [2019 - present].

Friends of the Festival, 501(c)3, board member [2022 – present].

100+ Women Who Care, member [2022 – present].

The Launch Pad, 501(c)3, board member [2024 - present].

Leadership Tennessee NEXT, Class VIII, lifetime member [February 2024 – May 2024].

Medal of Honor Convention, private sponsor dinner planning committee [2024 – present].

- 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.

I belonged to a sorority at Louisiana State University, joining Zeta Tau Alpha in 2001 and ending my membership in 2003. I also donate and participate with 100+ Women Who Care, a charitable organization focused on raising awareness about the many nonprofits serving our community and selecting an organization quarterly to combine the power of many small donations into a large and impactful gift. This is a women's giving circle, but from time to time men attend in support of these nonprofits. I do not intend to resign from my participation with 100+ Women Who Care unless subsequent participation conflicts with my obligations pursuant to Tennessee Supreme Court Rule 10.

ACHIEVEMENTS

25. List all bar associations and professional societies of which you have been a member within the last ten years, including dates. Give the titles and dates of any offices which you have held in such groups. List memberships and responsibilities on any committee of professional associations which you consider significant.

Chattanooga Bar Association [2019 – present].

Tennessee Bar Association [2021 – present].

American Bar Association [2022 – 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.

I received certification as a Family Trial Advocate by the National Board of Trial Advocacy in June, 2024. This reflects not only my litigation experience, writing samples, and testing, but most importantly the peer and judicial reviews required for a successful application.

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 sought public office prior to this application.

ESSAYS/PERSONAL STATEMENTS

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

I want to continue serving my community to the best of my abilities. As a litigator, my responsibility is to my individual client. As a judicial officer, my responsibility would be to advocate for the rule of law. We are blessed with an extraordinary bench and bar in Hamilton County, and are very fortunate to have a legal community that takes the weight of that responsibility seriously. Having worked regularly in this court for over a decade, I am aware of the immense responsibility, both substantive and procedural, to preside in Circuit Court, Division II. I believe that my work ethic, demeanor, and acumen are suited for this position.

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 appointment for Hamilton County Circuit Court, Division II. Hamilton County is a diverse and populous county, with astounding growth in the past few years. Currently, there are four (4) divisions of Circuit Court. With the retirement of the long-serving Honorable Marie Williams, the remaining three (3) Circuit Court judges are male. My selection would provide a female perspective for my colleagues. Additionally, I am a lifelong Hamilton County resident and am raising my daughter here. My selection would allow me to better serve the community which raised me. Importantly, I practice primarily family law. My selection would allow me to implement procedures designed to more efficiently resolve the majority of disputes filed with this court. My broad experience base, jury trial experience, and board certification reflect my commitment to constant learning and improvement.

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)

Of course, it would be my responsibility to uphold the law, regardless of my personal opinions. This is one of the most important boundaries for a well-functioning judicial branch. As a licensed attorney, I represented many individuals with whom I disagreed on substantive issues, most commonly when I was appointed by the Court. I recall vividly the internal struggle in ethically and competently representing an appointed client in a first-degree murder case very early in my practice. Despite my desires, my role was to tell his side of the story to the jury and present his evidence. I did exactly that. It was the jury's job to render a verdict, the District Attorney's job to prosecute, and the Judge's job to conduct fair proceedings and sentence. Additionally, I was recently appointed in a termination of parental rights case to represent a father who had been absent from his daughter's life and suffered from setbacks relating to his military service. Despite his ignorance of the law, his rights were terminated due to the consequences of his

inaction on the child. These are the hardest of cases, which makes them important to do competently and compassionately. Our judicial system is the best in the world when everyone completes their roles to the best of their abilities. As a judge, I would hold myself to the highest standards of ethics and service which I believe I have demonstrated throughout my career.

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. Captain Mickey L. McCamish, U.S. Navy (Retired)

Fxecutive Director - Friends of the Festival

Office: 426 Market Street, Chattanooga, TN 37402

B. Shelley Armstrong

Executive Director—The Launch Pad

Office: 617 Marlboro Avenue, Chattanooga, TN 37412

C. Robert Floyd Davis, Esquire Davis, Kessler, & Davis

Office: 433 Cherokee Boulevard, Chattanooga, TN 37405

D. Jonathan Turner, Esquire Speek, Turner, & Newkirk

Office: 631 Cherry Street, Chattanooga, TN 37402

E. Glenna M. Ramer, Esquire

Office: 2305 Hickory Valley Road, Suite A, Chattanooga, TN 37421

(Affirmation on Following Page)

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 for Hamilton County, Division II 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: January 31, 2025.

Signature

When completed, return this questionnaire to John Jefferson at the Administrative Office of the Courts, 511 Union Street, Suite 600, Nashville, TN 37219.

(Waiver on Following Page)



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.

Christina Mincy Type or Print Name	Please identify other licensing boards that have issued you a license, including the state issuing the license and the license number.
Signature	
January 31, 2025	
Date	
030266	
BPR #	

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