

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

1/17/23

Name: KIMBERLY G. TURNER

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(Including county)

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(Including county)

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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](http://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 have a local law practice in Clarksville, Tennessee, to-wit: The Law Office of Kimberly Turner & Associates.

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

2010. BPR # 029563.

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, # 029563. I was admitted on 11/2010 and my license is active.

Alabama, # 8740E45S. I was admitted on 9/2/2003 and my license is active.

Florida, # 497215. I was admitted on 9/17/2001 and I am currently on inactive status as I am not practicing in Florida at this time.

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).

I have not been denied admission or suspended but I have voluntarily selected inactive status in both Florida and Alabama due to not practicing in those states at times.

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 graduated from an accredited law school in Florida then upon passing the bar, I worked for the State of Florida, Third Judicial Circuit of Florida State Attorney's Office, as an Assistant State Attorney and subsequently as an Assistant State Attorney in Charge. I was employed there from January 2002 until October 2009. During my employment I prosecuted juvenile, misdemeanor, felony and special prosecution cases. I worked closely with local law enforcement to establish a local drug task force and I often conducted training for our local law enforcement agencies. My duties as a prosecutor included preparation or search and arrest warrants and providing on scene assistance to law enforcement. I worked closely with officers regarding evidence

destruction and policy development. I supervised the legal intern program for two counties in the circuit. Taught criminal justice class to local high school students as part of my duties with State Attorney's Office. But most importantly, as a prosecutor I served as a gatekeeper between criminal complaints and criminal prosecution. One of my most important duties as a prosecutor was making charging decisions related to criminal reports and arrests. When a case was initiated it was sent to the State Attorney's Office where an Assistant State Attorney reviewed the case file and made a decision to either pursue prosecution or to dismiss the matter. The Assistant State Attorney also determined whether individuals would be summonsed to court or arrest warrants would be issued. I ensured that I was not a mouth-piece for law enforcement but instead, I independently reviewed the information and where the facts were sufficient to proceed to prosecution, they did. Where the facts were not sufficient, the matter was dismissed.

Following my employment with the State Attorney's Office I served as Assistant General Counsel for the Florida Department of Health Prosecution Services Unit I worked for this agency from November 2009 until August 2010. (I left this position to move to Tennessee to marry.) I served in an advisory capacity to the Florida State Surgeon General relating to complaints including, but not limited to, unlicensed activity, medical malfeasance and/or malpractice, sexual offenses and inappropriate or overprescribing of controlled substances by Florida Physicians. During my time with this agency, in addition to my regular duties, I was assigned to the Department of Health task force responsible for prosecution of "Pill Mill" cases in South Florida. My duties included reviewing case files to determine legal sufficiency of complaints and making recommendations to an administrative Probable Cause Panel and ultimately representing the Department of Health in administrative law hearings and presentations to the Florida Medical Review Board.

Upon moving to Tennessee in August 2010, and I obtained my Tennessee license but did not work for a short period of time. In February 2011, I went to work with a local attorney, Edward Dewerff, as an independent contractor handling criminal and family law matters.

In July 2011, I went to work with the firm of Gasaway, Long and Farmer, as an independent contractor at first and then as an acting partner, though I refused to sign a partnership agreement with Carrie Gasaway. I worked at that office from July 2011 until January 2012 when I left that firm and reported Ms. Gasaway to law enforcement for what I believed to be illegal conduct. She was subsequently convicted and disbarred. While working at that firm, I practiced primarily family and criminal law.

I left the Gasaway firm in late January 2012 and opened my own practice, the Law Office of Kimberly Turner and Associates, in early February 2012. My practice continues to focus primarily on family and criminal law however I also handle court martials, wills, and some personal injury. I have two associates who handle family, criminal, juvenile and some civil law matters.

Prior to my legal education my employment history is as follows:

NCS Pearson, Inc. from March 2001 to June 2001. I was employed here as a test scorer, responsible for grading the FCAT test for Florida students, while I was studying for the Florida

Bar.

Florida Coastal School of Law, Library from March 2000 to December 2000. I was employed here as a library assistant while attending law school.

Thrifty Nickel in 1996. I was employed here as a delivery carrier. I was responsible for picking up and delivering this classified mailer to business locations for direct distribution to customers. I did this while attending college and working at the post office.

Dothan Eagle Newspaper from March 1996 to May 1996. I also did this in 1993 but I do not have the dates. I was employed as a paper carrier and delivery person. I picked up and delivered local newspapers to both residential and business customers. I did this while attending college, working at the post office and police department.

Ashford Police Department from November 1994 until January 1996. I was employed as a police and rescue dispatcher. My duties included receiving calls for routine and emergency series, dispatching local police offices and volunteer fire and rescue units.

I worked for Barbri and PMBR as a representative during law school in 1999 and 2000. I registered individuals for the programs and administered the bar prep training sessions.

United States Postal Service from June 1991 until July 1998. I was employed as a rural carrier associate responsible for delivering mail on rural routes in Alabama and as an in office mail sorter when needed.

Deltacom, from 1990 until approximately 1992. (These dates are approximate.). I worked as a customer service representative for Deltacom.

Dothan Police Department from 1986 until 1990. I was a police dispatcher responsible for dispatching police, fire ambulance and rescue units as well as answering 911 calls for service.

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 law practice is approximately 50% family law, 45 % criminal law, and the remaining 5% is made up of juvenile, military, wills and/or personal injury. My practice is based upon being "attorneys who care" and whether the case is misdemeanor or felony, large or small, I always try to remember that what is routine to me is life altering for my client and I try to address their concerns with compassion and respect while providing quality representation.

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.

I have practiced in both state and federal court in Tennessee and Florida.

I have practiced in Alabama domestic relations court and felony criminal court.

I have practiced in bankruptcy court in Tennessee.

I have appeared before the Tennessee Court of Appeals in Nashville.

I have represented clients in administrative law hearings with the Department of Education, in forfeiture cases and in unemployment matters.

I have tried several court martial trials at Fort Campbell

I have tried more bench trials than I can count and I have tried in excess of 100 jury trials.

I have made numerous presentations to the Grand Jury.

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

Every case has mattered, but my first case as a defense attorney is one that I will never forget. Not because of the case itself, but because of the lesson I learned from it. My client was found not guilty and following the trial I received a package from a juror. The juror sent a book to my client with an inscription that is not mine to share, but she also included a note to me. The juror said that she believed my client was guilty but decided to vote not guilty because despite her belief, the state had simply not proven that he was guilty beyond a reasonable doubt. She said she would pray for my client and that he should thank God and his lawyer for his freedom and that she hoped knowing just how close he had come to a conviction would change his life and he would do better. This case is of special note to me because it showed me that our legal system does work, that despite her personal feelings, and clearly the fact that she had agonized over her decision, that this juror had followed the law. This case gave me tremendous insight into and respect for our jury system and the individuals who serve on our juries.

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

I have undergone training as both a family and civil Rule 31 mediator though I am not currently listed as a rule 31 mediator.

2006 – 2010, I served on the Judicial Nominations Committee in the state of Florida. This position is filled by gubernatorial appointment. I served as Chair and Vice-Chair prior to relocating to Tennessee. This committee was responsible for selecting and submitting candidates to the Governor to fill judicial vacancies.

2005 – 2009. I served on the Local Advocacy Counsel for Florida. This position is filled by Gubernatorial Appointment. This counsel was responsible for investigating complaints about abuse and deprivation of human and constitutional rights. We also provided oversight to assisted living facilities and daycares, as well as other facilities operated, funded or contracted by state agencies to ensure compliance with state regulations.

2004. I worked with the Florida Department of Law Enforcement, Tennessee Highway Patrol, and other local law enforcement agencies in Northeast Florida to establish the Child Abduction Response Team (CART) and I served as the liaison between the State Attorney's Office and CART. CART was established as an interagency team that responded to reports of abducted, missing or endangered children in Florida.

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.

George C. Wallace Community college, Napier Field, Al. 1/1996 – 5/1998.

Troy State University, Dothan, AL. May 1997 – June 1998. Bachelor of Science in Criminal Justice and Bachelor of Science in Sociology. (Cum Laude)

Florida Coastal School of Law, Jacksonville, FL. August 1998 – December 2000. Juris Doctor Degree.

### PERSONAL INFORMATION

12. State your date of birth.

1967.

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

12 years, 8 months.

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

12 years, 8 months.

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

Montgomery 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.

None.

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.

In 2013 I received a private reprimand from the Tennessee Board of Professional Responsibility for removing downloading case files that were not mine. [REDACTED]

In 2014 I received a private reprimand from the Board of Professional Responsibility due to an error with my trust account caused by paying out funds from my trust account that had already been paid out which caused two overdrafts in the account. I self-reported the incident.

I have had one other complaint against me with the Tennessee Board of Professional Responsibility which was dismissed.

I had two bar complaints filed against me with the Florida Bar, both of which 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. Bankruptcy action, Middle District of Alabama U.S. Bankruptcy Court, Case No: 94-00103-RRS-7, bankruptcy discharged on April 24, 1994. My first husband handled the financial affairs in our home and I had no idea of our financial situation until he told me we had to file bankruptcy. This is not an excuse but it is the truth. Since that date I have handled by own financial affairs. I have maintained exceptional credit with the exception of this bankruptcy

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.

Civil action for Breach of Contract, Circuit Court, Montgomery County, Tennessee. Kimberly and Brian Turner v. Carrie Gasaway and Edward Farmer. Case No: 2012-CV-1220. Judgement for Kimberly and Brian Turner. Judgement recently reaffirmed.

Bankruptcy action, Middle District of Alabama U.S. Bankruptcy Court, Case No: 94-00103-RRS-7, bankruptcy discharged on April 24, 1994. My first husband handled the financial affairs in our home and I had no idea of our financial situation until he told me we had to file bankruptcy. This is not an excuse but it is the truth. Since that date I have handled by own financial affairs. I have maintained exceptional credit with the exception of this bankruptcy.

Custody and Child Support action, District Court of Houston County Alabama, Case No: CS 88-196. Disposition date was July 18, 1989.

Divorce action, Fourth Judicial Circuit Court of Florida, Case No: 99-07171-FM. Disposition date August 25, 2000.

Civil action, Circuit Court of Houston County, Alabama, Case No: CV-97-881-H. This was a suit for wrongful termination after I filed an ethics complaint against the Chief of Police. The Ethics complaint was founded and the matter settled out of court. This was in 1997 but I do not know the disposition date.

Small Claims action, Small Claims Court of Houston County, Alabama, Case No: SM 87-1066-00. This was a dispute about childcare. I paid for time that my child attended a child care facility but withdrew him when the facility stopped providing the services as agreed upon. The facility sued for \$114.00 and I was ordered to pay \$70.00 for failing to give notice prior to withdrawing my child. The date of disposition was around October 1987 or 88.

Civil Action, Circuit Court of Houston Country, Alabama, Case No: CV 90-255C. This was a suit for personal injuries as a result of a car accident. The disposition date was September 5,

1991 and my insurance settled with one Plaintiff and the matter was dismissed as to the other plaintiff.

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.

Clarksville Civitans.

Red River Republican Women's 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.
- 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.

Red River Republican Women's Association. This is a women's political organization.

As a child I was a member of the Girl's Club of America and Girl Scouts. These were organizations designed for young girls.

#### 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.

2006 – 2010, I served on the Judicial Nominations Committee in the state of Florida. This position is filled by Governorial Appointment. I served as Chair and Vice-Chair prior to relocating to Tennessee. This committee was responsible for selecting and submitting candidates to the Governor to fill judicial vacancies.

2005 – 2009. I served on the Local Advocacy Counsel for Florida. This position is filled by Governorial Appointment. This counsel was responsible for investigating complaints about

abuse and deprivation of human and constitutional rights. We also provided oversight to assisted living facilities and daycares, as well as other facilities operated, funded or contracted by state agencies to ensure compliance with state regulations.

2004. I worked with the Florida Department of Law Enforcement, Tennessee Highway Patrol, and other local law enforcement agencies in Northeast Florida to establish the Child Abduction Response Team (CART) and I served as the liaison between the State Attorney's Office and CART. CART was established as an interagency team that responded to reports of abducted, missing or endangered children in Florida.

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.

2022, Law Office of Kimberly Turner & Associates named Best Family Law firm in VIP Clarksville Magazine.

2012, 2<sup>nd</sup> place in Best Law Firm in the Best of Clarksville sponsored by Leaf Chronicle.

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 ran for Circuit Court Judge in the 19<sup>th</sup> Judicial District of Tennessee in August 2022. My opponent was Joel Wallace.

### ESSAYS/PERSONAL STATEMENTS

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

I am seeking this position because I believe we need judges who have experience in areas that will come before them. I have extensive experience in both criminal law and family law and I believe my knowledge and experience make me uniquely qualified to serve in this position and if appointed, I will ensure that all individuals who come before me are treated with dignity and respect and that all litigants receive a fair trial or hearing.

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 appointment as a Circuit Court judge in the 19<sup>th</sup> Judicial District of Tennessee. This District currently has 5 Circuit Court judges and yet the case load is so heavy that trials and Final Hearings are being set out six to eight months. The judicial position I am seeking will handle both domestic and criminal matters. As I have practiced extensively in both areas,

I am already familiar with the laws related thereto and will be able to render rulings from the bench without having to take cases under advisement to research the applicable laws. I have a strong work ethic and am willing to put in the extra time in the courtroom to finish cases rather than having them reset to be finalized months later. I am also willing to work with other judges to help clear backlogs in their courts.

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 believe that it is a judge's duty to uphold the law without regard to personal opinion or belief. One instance that I recall is when a defendant falsely identified himself as a law enforcement officer to gain entry into a home to look for a missing child. While I could understand why the person did what he did, he violated the law and I prosecuted him for it because that was my job. As a judge, my job will be to uphold the laws of this state and that is exactly what I will do.

#### 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. Amanda Cocanougher, attorney, [REDACTED] Clarksville, TN 37040. [REDACTED]
B. Chad O'Brien, deputy sheriff, [REDACTED] Clarksville, TN 37040. [REDACTED]
C. Charlotte Flemming, attorney, [REDACTED] Springfield, TN 37172. [REDACTED]
D. Ted Crozier, retired judge, [REDACTED] Clarksville, Tennessee 37043. [REDACTED]
E. Dr. Joseph Britton, dentist, [REDACTED] Clarksville, TN 37042. [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 19<sup>th</sup> Judicial District Circuit Court 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: 10<sup>th</sup> day of June, 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**

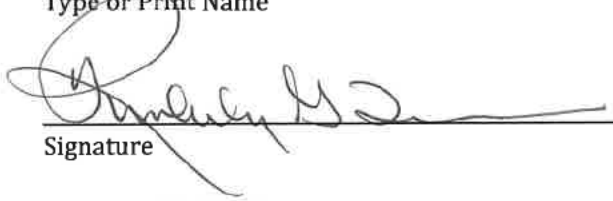
511 UNION STREET, SUITE 600  
NASHVILLE CITY CENTER  
NASHVILLE, TN 37219

**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.

\_\_Kimberly G. Turner\_\_\_\_\_  
Type or Print Name

  
Signature

\_\_June 10, 2023\_\_\_\_\_  
Date

\_\_029563\_\_\_\_\_  
BPR #

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

Alabama State Bar. # 8740E45S

Florida Bar. # 0497215

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